

## STATE OF MINNESOTA

## EIGHTY-FIFTH SESSION — 2008

## EIGHTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 28, 2008

The House of Representatives convened at 10:00 a.m. and was called to order by Alice Hausman, Speaker pro tempore.

Prayer was offered by the Reverend Nancy Maeker, Bishop's Associate, St. Paul Area Synod, Evangelical Lutheran Church in America.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The Speaker assumed the Chair.

The roll was called and the following members were present:

Abeler	Dittrich	Heidgerken	Lesch	Olson	Slawik
Anderson, B.	Dominguez	Hilstrom	Liebling	Otremba	Slocum
Anderson, S.	Doty	Hilty	Lieder	Ozment	Smith
Anzelc	Drazkowski	Holberg	Lillie	Paulsen	Solberg
Beard	Eastlund	Hoppe	Loeffler	Paymar	Swails
Benson	Eken	Hornstein	Madore	Pelowski	Thao
Berns	Emmer	Hortman	Mahoney	Peppin	Thissen
Bigham	Erhardt	Hosch	Mariani	Peterson, A.	Tillberry
Bly	Erickson	Howes	Marquart	Peterson, N.	Tingelstad
Brown	Faust	Huntley	Masin	Peterson, S.	Tschumper
Brynaert	Finstad	Jaros	McFarlane	Poppe	Wagenius
Buesgens	Fritz	Johnson	McNamara	Rukavina	Walker
Bunn	Gardner	Juhnke	Moe	Ruth	Ward
Carlson	Garofalo	Kahn	Morgan	Ruud	Wardlow
Clark	Gottwalt	Kalin	Morrow	Sailer	Welti
Cornish	Greiling	Knuth	Mullery	Scalze	Westrom
Davnie	Gunther	Koenen	Murphy, E.	Seifert	Winkler
Dean	Hackbarth	Kohls	Murphy, M.	Sertich	Wollschlager
DeLaForest	Hamilton	Kranz	Nelson	Severson	Zellers
Demmer	Hansen	Laine	Nornes	Shimanski	Spk. Kelliher
Dettmer	Hausman	Lanning	Norton	Simon	
Dill	Haws	Lenczewski	Olin	Simpson	

A quorum was present.

Atkins, Brod and Magnus were excused.

Urdahl was excused until 5:50 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Swails moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

#### REPORTS OF CHIEF CLERK

S. F. No. 2428 and H. F. No. 2795, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Tschumper moved that S. F. No. 2428 be substituted for H. F. No. 2795 and that the House File be indefinitely postponed. The motion prevailed.

#### PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

The Honorable James P. Metzen  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2008 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2008</i>	<i>Date Filed 2008</i>
	2285*	151		February 19

Sincerely,

MARK RITCHIE  
Secretary of State

[NOTE: \* H. F. No. 2285, Chapter No. 151 is a proposed constitutional amendment to be presented to the people at the 2008 general election.]

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

The Honorable James P. Metzen  
President of the Senate

I have the honor to inform you that H. F. No. 2800, Chapter No. 152, of the 2008 Session of the State Legislature, vetoed by the Governor and having been reconsidered and repassed by the House of Representatives and the Senate, the objections of the Governor notwithstanding, has been received from the Office of the Chief Clerk of the House of Representatives and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2008</i>	<i>Date Filed 2008</i>
	2800*	152		February 25

Sincerely,

MARK RITCHIE  
Secretary of State

[NOTE: \* H. F. No. 2800, Chapter No. 152, vetoed by the Governor, was reconsidered and repassed by the House of Representatives and the Senate, the objections of the Governor notwithstanding.]

### REPORTS OF STANDING COMMITTEES AND DIVISIONS

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 635, A bill for an act relating to telecommunications; enacting the Minnesota Wireless Telephone Consumer Protection Act; changing certain existing requirements; proposing coding for new law in Minnesota Statutes, chapter 325F; repealing Minnesota Statutes 2006, section 325F.695.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Commerce and Labor.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 863, A bill for an act relating to global warming and the environment; requiring adoption of California standards regarding low emission vehicles; providing for updates to the standards as necessary to comply with the federal Clean Air Act; amending Minnesota Statutes 2006, section 116.07, subdivision 2.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Commerce and Labor.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1625, A bill for an act relating to public safety; authorizing permanent orders for protection and restraining orders after multiple violations or continued threats; amending Minnesota Statutes 2006, sections 518B.01, subdivisions 6, 6a, 11, 18; 609.748, subdivisions 3, 5, 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 518B.01, subdivision 6, is amended to read:

Subd. 6. **Relief by the court.** (a) Upon notice and hearing, the court may provide relief as follows:

- (1) restrain the abusing party from committing acts of domestic abuse;
- (2) exclude the abusing party from the dwelling which the parties share or from the residence of the petitioner;
- (3) exclude the abusing party from a reasonable area surrounding the dwelling or residence, which area shall be described specifically in the order;
- (4) award temporary custody or establish temporary parenting time with regard to minor children of the parties on a basis which gives primary consideration to the safety of the victim and the children. In addition to the primary safety considerations, the court may consider particular best interest factors that are found to be relevant to the temporary custody and parenting time award. Findings under section 257.025, 518.17, or 518.175 are not required with respect to the particular best interest factors not considered by the court. If the court finds that the safety of the victim or the children will be jeopardized by unsupervised or unrestricted parenting time, the court shall condition or restrict parenting time as to time, place, duration, or supervision, or deny parenting time entirely, as needed to guard the safety of the victim and the children. The court's decision on custody and parenting time shall in no way delay the issuance of an order for protection granting other relief provided for in this section. The court must not enter a parenting plan under section 518.1705 as part of an action for an order for protection;
- (5) on the same basis as is provided in chapter 518 or 518A, establish temporary support for minor children or a spouse, and order the withholding of support from the income of the person obligated to pay the support according to chapter 518A;
- (6) provide upon request of the petitioner counseling or other social services for the parties, if married, or if there are minor children;

(7) order the abusing party to participate in treatment or counseling services, including requiring the abusing party to successfully complete a domestic abuse counseling program or educational program under section 518B.02;

(8) award temporary use and possession of property and restrain one or both parties from transferring, encumbering, concealing, or disposing of property except in the usual course of business or for the necessities of life, and to account to the court for all such transfers, encumbrances, dispositions, and expenditures made after the order is served or communicated to the party restrained in open court;

(9) exclude the abusing party from the place of employment of the petitioner, or otherwise limit access to the petitioner by the abusing party at the petitioner's place of employment;

(10) order the abusing party to have no contact with the petitioner whether in person, by telephone, mail, or electronic mail or messaging, through a third party, or by any other means;

~~(10)~~ (11) order the abusing party to pay restitution to the petitioner;

~~(11)~~ (12) order the continuance of all currently available insurance coverage without change in coverage or beneficiary designation; and

~~(12)~~ (13) order, in its discretion, other relief as it deems necessary for the protection of a family or household member, including orders or directives to the sheriff or other law enforcement or corrections officer as provided by this section.

(b) Any relief granted by the order for protection shall be for a ~~fixed~~ period not to exceed ~~one year~~ two years, except when the court determines a longer ~~fixed~~ period is appropriate. When a referee presides at the hearing on the petition, the order granting relief becomes effective upon the referee's signature.

(c) An order granting the relief authorized in paragraph (a), clause (1), may not be vacated or modified in a proceeding for dissolution of marriage or legal separation, except that the court may hear a motion for modification of an order for protection concurrently with a proceeding for dissolution of marriage upon notice of motion and motion. The notice required by court rule shall not be waived. If the proceedings are consolidated and the motion to modify is granted, a separate order for modification of an order for protection shall be issued.

(d) An order granting the relief authorized in paragraph (a), clause (2) or (3), is not voided by the admittance of the abusing party into the dwelling from which the abusing party is excluded.

(e) If a proceeding for dissolution of marriage or legal separation is pending between the parties, the court shall provide a copy of the order for protection to the court with jurisdiction over the dissolution or separation proceeding for inclusion in its file.

(f) An order for restitution issued under this subdivision is enforceable as civil judgment.

**EFFECTIVE DATE.** This section is effective July 1, 2008.

Sec. 2. Minnesota Statutes 2006, section 518B.01, subdivision 6a, is amended to read:

Subd. 6a. **Subsequent orders and extensions.** (a) Upon application, notice to all parties, and hearing, the court may extend the relief granted in an existing order for protection or, if a petitioner's order for protection is no longer in effect when an application for subsequent relief is made, grant a new order. The court may extend the terms of an existing order or, if an order is no longer in effect, grant a new order upon a showing that:

(1) the respondent has violated a prior or existing order for protection;

(2) the petitioner is reasonably in fear of physical harm from the respondent;

(3) the respondent has engaged in acts of harassment or stalking within the meaning of section 609.749, subdivision 2; or

(4) the respondent is incarcerated and about to be released, or has recently been released from incarceration.

A petitioner does not need to show that physical harm is imminent to obtain an extension or a subsequent order under this subdivision.

(b) Relief granted by the order for protection may be for a period of 50 years, if the court finds:

(1) the respondent has violated a prior or existing order for protection on two or more occasions; or

(2) the petitioner has had two or more orders for protection in effect against the same respondent.

The court may provide relief under this paragraph as follows: (1) restrain the abusing party from committing acts of domestic abuse; or (2) prohibit the abusing party from having any contact with the petitioner whether in person, by telephone, mail or electronic mail or messaging, through electronic devices, through a third party, or by any other means.

**EFFECTIVE DATE.** This section is effective July 1, 2008.

Sec. 3. Minnesota Statutes 2006, section 518B.01, subdivision 11, is amended to read:

Subd. 11. **Modification of order.** (a) Upon application, notice to all parties, and hearing, the court may modify the terms of an existing order for protection.

(b) If the court orders relief under subdivision 6a, paragraph (b), the respondent named in the order for protection may request to have the order vacated or modified if the order has been in effect for at least five years and the respondent has not violated the order during that time. Application for relief under this subdivision must be made in the county in which the order for protection was issued. Upon receipt of the request, the court shall set a hearing date. Personal service must be made upon the petitioner named in the order for protection not less than 30 days before the date of the hearing. At the hearing, the respondent named in the order for protection shall have the burden of proving by a preponderance of the evidence that there has been a material change in circumstances and that the reasons upon which the court relied in granting or extending the order for protection no longer apply and are unlikely to occur. If the court finds that the respondent named in the order for protection has met the burden of proof, the court may vacate or modify the order. If the court finds that the respondent named in the order for protection has not met the burden of proof, the court shall deny the request and no request may be made to vacate or modify the order for protection until five years have elapsed from the date of denial. Any order vacated or modified under this paragraph must be personally served on the petitioner named in the order for protection.

**EFFECTIVE DATE.** This section is effective July 1, 2008.

Sec. 4. Minnesota Statutes 2006, section 518B.01, subdivision 18, is amended to read:

Subd. 18. **Notices.** (a) Each order for protection granted under this chapter must contain a conspicuous notice to the respondent or person to be restrained that:

(1) violation of an order for protection is either (i) a misdemeanor punishable by imprisonment for up to 90 days or a fine of up to \$1,000, or both, (ii) a gross misdemeanor punishable by imprisonment of up to one year or a fine of up to \$3,000, or both, or (iii) a felony punishable by imprisonment of up to five years or a fine of up to \$10,000, or both;

(2) the respondent is forbidden to enter or stay at the petitioner's residence, even if invited to do so by the petitioner or any other person; in no event is the order for protection voided;

(3) a peace officer must arrest without warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order for protection restraining the person or excluding the person from a residence; and

(4) pursuant to the Violence Against Women Act of 1994, United States Code, title 18, section 2265, the order is enforceable in all 50 states, the District of Columbia, tribal lands, and United States territories, that violation of the order may also subject the respondent to federal charges and punishment under United States Code, title 18, sections 2261 and 2262, and that if a final order is entered against the respondent after the hearing, the respondent may be prohibited from possessing, transporting, or accepting a firearm under the 1994 amendment to the Gun Control Act, United States Code, title 18, section 922(g)(8).

(b) If the court grants relief under subdivision 6a, paragraph (b), the order for protection must also contain a conspicuous notice to the respondent or person to be restrained that the respondent must wait five years to seek a modification of the order.

**EFFECTIVE DATE.** This section is effective July 1, 2008.

Sec. 5. Minnesota Statutes 2006, section 609.748, subdivision 3, is amended to read:

Subd. 3. **Contents of petition; hearing; notice.** (a) A petition for relief must allege facts sufficient to show the following:

- (1) the name of the alleged harassment victim;
- (2) the name of the respondent; and
- (3) that the respondent has engaged in harassment.

A petition for relief must state whether the petitioner has ever had a restraining order in effect against the respondent. The petition shall be accompanied by an affidavit made under oath stating the specific facts and circumstances from which relief is sought. The court shall provide simplified forms and clerical assistance to help with the writing and filing of a petition under this section and shall advise the petitioner of the right to sue in forma pauperis under section 563.01. The court shall advise the petitioner of the right to request a hearing. If the petitioner does not request a hearing, the court shall advise the petitioner that the respondent may request a hearing and that notice of the hearing date and time will be provided to the petitioner by mail at least five days before the hearing. Upon receipt of the petition and a request for a hearing by the petitioner, the court shall order a hearing. Personal service must be made upon the respondent not less than five days before the hearing. If personal service cannot be completed in time to give the respondent the minimum notice required under this paragraph, the court may set a new hearing date. Nothing in this section shall be construed as requiring a hearing on a matter that has no merit.

(b) Notwithstanding paragraph (a), the order for a hearing and a temporary order issued under subdivision 4 may be served on the respondent by means of a one-week published notice under section 645.11, if:

(1) the petitioner files an affidavit with the court stating that an attempt at personal service made by a sheriff was unsuccessful because the respondent is avoiding service by concealment or otherwise; and

(2) a copy of the petition and order for hearing and any temporary restraining order has been mailed to the respondent at the respondent's residence or place of business, if the respondent is an organization, or the respondent's residence or place of business is not known to the petitioner.

(c) Regardless of the method of service, if the respondent is a juvenile, whenever possible, the court also shall have notice of the pendency of the case and of the time and place of the hearing served by mail at the last known address upon any parent or guardian of the juvenile respondent who is not the petitioner.

(d) A request for a hearing under this subdivision must be made within 45 days of the filing or receipt of the petition.

**EFFECTIVE DATE.** This section is effective July 1, 2008.

Sec. 6. Minnesota Statutes 2006, section 609.748, subdivision 5, is amended to read:

Subd. 5. **Restraining order.** (a) The court may grant a restraining order ordering the respondent to cease or avoid the harassment of another person or to have no contact with that person if all of the following occur:

(1) the petitioner has filed a petition under subdivision 3;

(2) the sheriff has served respondent with a copy of the temporary restraining order obtained under subdivision 4, and with notice of the right to request a hearing, or service has been made by publication under subdivision 3, paragraph (b); and

(3) the court finds at the hearing that there are reasonable grounds to believe that the respondent has engaged in harassment.

A restraining order may be issued only against the respondent named in the petition; except that if the respondent is an organization, the order may be issued against and apply to all of the members of the organization. If the court finds that the petitioner has had two or more previous restraining orders in effect against the same respondent or the respondent has violated a prior or existing restraining order on two or more occasions, relief granted by the restraining order may be for a period of 50 years. In all other cases, relief granted by the restraining order must be for a fixed period of not more than two years. When a referee presides at the hearing on the petition, the restraining order becomes effective upon the referee's signature.

(b) An order issued under this subdivision must be personally served upon the respondent.

(c) If the court orders relief for a period of 50 years under paragraph (a), the respondent named in the restraining order may request to have the restraining order vacated or modified if the order has been in effect for at least five years and the respondent has not violated the order. Application for relief under this paragraph must be made in the county in which the restraining order was issued. Upon receipt of the request, the court shall set a hearing date. Personal service must be made upon the petitioner named in the restraining order not less than 30 days before the date of the hearing. At the hearing, the respondent named in the restraining order shall have the burden of proving by a preponderance of the evidence that there has been a material change in circumstances and that the reasons upon which the court relied in granting the restraining order no longer apply and are unlikely to occur. If the court finds that the respondent named in the restraining order has met the burden of proof, the court may vacate or modify the order. If the court finds that the respondent named in the restraining order has not met the burden of proof, the court shall deny the request and no request may be made to vacate or modify the restraining order until five years have elapsed from the date of denial. Any order vacated or modified under this paragraph must be personally served on the petitioner named in the restraining order.

**EFFECTIVE DATE.** This section is effective July 1, 2008.

Sec. 7. Minnesota Statutes 2006, section 609.748, subdivision 8, is amended to read:

Subd. 8. **Notice.** (a) An order granted under this section must contain a conspicuous notice to the respondent:

(1) of the specific conduct that will constitute a violation of the order;

(2) that violation of an order is either (i) a misdemeanor punishable by imprisonment for up to 90 days or a fine of up to \$1,000, or both, (ii) a gross misdemeanor punishable by imprisonment for up to one year or a fine of up to \$3,000, or both, or (iii) a felony punishable by imprisonment for up to five years or a fine of up to \$10,000, or both; and

(3) that a peace officer must arrest without warrant and take into custody a person if the peace officer has probable cause to believe the person has violated a restraining order.

(b) If the court grants relief for a period of 50 years under subdivision 5, the order must also contain a conspicuous notice to the respondent that the respondent must wait five years to seek a modification of the order.

**EFFECTIVE DATE.** This section is effective July 1, 2008."

Amend the title as follows:

Page 1, line 2, delete "authorizing permanent" and insert "extending the duration of"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 2095, A bill for an act relating to veterans; broadening the eligibility criteria for peace officer reciprocity licensing exam to include certain persons in active military service; amending Minnesota Statutes 2006, section 626.8517.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 626.8517, is amended to read:

**626.8517 ELIGIBILITY FOR RECIPROCITY EXAMINATION BASED ON RELEVANT MILITARY EXPERIENCE.**

(a) For purposes of this section, "relevant military experience" means five years of active duty military police service.

(b) A person who has relevant military experience and who is currently serving in or has been honorably discharged received an honorable or general discharge from the military is eligible to take the reciprocity examination.

**EFFECTIVE DATE.** This section is effective the day following final enactment."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Public Safety and Civil Justice.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 2276, A bill for an act relating to state observances; designating May 1 as Silver Star Families of America Day; proposing coding for new law in Minnesota Statutes, chapter 10.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 2524, A bill for an act relating to veterans; including the spouse and children of a resident veteran in the definition of "resident student" for purposes of determining eligibility for state financial aid for higher education; amending Minnesota Statutes 2006, section 136A.101, subdivision 8.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 2582, A bill for an act relating to veterans; designating March 29 as Vietnam Veterans Day; proposing coding for new law in Minnesota Statutes, chapter 197.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 2602, A bill for an act relating to public safety; exempting police vehicles used to transport police dogs from window glazing restrictions; amending Minnesota Statutes 2006, section 169.71, subdivision 4.

Reported the same back with the following amendments:

Page 2, line 15, delete "used to transport a police dog"

Amend the title as follows:

Page 1, line 2, delete everything after "vehicles"

With the recommendation that when so amended the bill pass.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 2645, A bill for an act relating to the military; requiring a report on participation by Minnesota in the National Guard Youth Challenge Program.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 2664, A bill for an act relating to veterans; directing commissioner of veterans affairs to establish and operate a new veterans home in the city of Montevideo.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Juhnke from the Agriculture, Rural Economies and Veterans Affairs Finance Division to which was referred:

H. F. No. 2683, A bill for an act relating to agriculture; modifying the expiration date for the Minnesota Agriculture Education Leadership Council; amending Minnesota Statutes 2006, section 41D.01, subdivision 4.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 2719, A bill for an act relating to public safety; prohibiting sexual relations between school employees in positions of authority and students; amending Minnesota Statutes 2006, section 609.341, by adding a subdivision; Minnesota Statutes 2007 Supplement, sections 609.344, subdivision 1; 609.345, subdivision 1.

Reported the same back with the following amendments:

Page 2, line 18, reinstate the stricken language

Page 2, lines 20 to 22, delete the new language

Page 3, line 29, strike "or"

Page 3, line 33, strike the period and insert "; or"

Page 3, after line 33, insert:

"(p) the complainant is a pupil under 20 years of age in a secondary school as defined in section 609.341, subdivision 23, and has not graduated or received a diploma, and the actor is in a position of authority over the complainant and is employed by, volunteering for, or contracted with the secondary school."

Page 4, line 20, reinstate the stricken language

Page 4, lines 22 to 24, delete the new language

Page 5, line 30, strike "or"

Page 5, line 34, strike the period and insert "; or"

Page 5, after line 34, insert:

"(p) the complainant is a pupil under 20 years of age in a secondary school as defined in section 609.341, subdivision 23, and has not graduated or received a diploma, and the actor is in a position of authority over the complainant and is employed by, volunteering for, or contracted with the secondary school."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on E-12 Education.

The report was adopted.

Hilty from the Energy Finance and Policy Division to which was referred:

H. F. No. 2788, A bill for an act relating to the city of Nashwauk; increasing the membership of the Nashwauk Public Utilities Commission from three to five members.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 2820, A bill for an act relating to public safety; creating a matching-grant pilot program to assist communities in providing safe transportation for intoxicated persons; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 169A.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 2877, A bill for an act relating to public safety; establishing crime of disarming a peace officer; providing criminal penalties; amending Minnesota Statutes 2006, section 609.50, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 2949, A bill for an act relating to public safety; controlled substances; adding Salvia divinorum to schedule IV of the controlled substance schedules; amending Minnesota Statutes 2006, section 152.02, subdivision 5.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Rukavina from the Higher Education and Work Force Development Policy and Finance Division to which was referred:

H. F. No. 3014, A bill for an act relating to higher education; clarifying the loan forgiveness program for nurses; amending Minnesota Statutes 2006, section 144.1501, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 16, delete "six credit hours" and insert "12 credit hours, or 720 hours" and delete "term" and insert "year"

With the recommendation that when so amended the bill pass and be re-referred to the Housing Policy and Finance and Public Health Finance Division.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 3023, A bill for an act relating to elections; proposing an amendment to the Minnesota Constitution, article VI, sections 7 and 8; establishing and modifying procedures for filling judicial vacancies; creating a judicial performance commission; creating a commission on appellate judicial selection; amending Minnesota Statutes 2006, sections 10A.01, subdivisions 7, 10, 15; 204B.06, subdivision 6; 204B.34, subdivision 3; 204B.36, subdivision 4; 480B.01, subdivision 11; proposing coding for new law in Minnesota Statutes, chapters 204D; 480B; repealing Minnesota Statutes 2006, sections 204B.36, subdivision 5; 204D.14, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

CONSTITUTIONAL AMENDMENT

Section 1. **CONSTITUTIONAL AMENDMENTS PROPOSED.**

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, article VI, section 7, will read:

Sec. 7. ~~The term of office of all judges shall be six years and until their successors are qualified. They~~ Following appointment by the governor, each judge shall initially hold office for a term ending December 31 following the next regularly scheduled general election held more than three years after the appointment. Thereafter, the term of office shall be eight years and until a successor is appointed and qualified and shall commence on the first day of January following the judge's retention election. Judges' retention shall be ~~elected~~ determined by the voters from the area which they ~~are to~~ serve, in the manner provided by law. A judicial performance commission shall evaluate in a nonpartisan manner the performance of judges according to criteria that the commission develops and publishes, and such other criteria as may be established by law.

article VI, section 8, will read:

Sec. 8. Whenever there is a vacancy in the office of judge, the governor shall appoint ~~in the manner provided by law~~ a qualified person to fill the vacancy ~~until a successor is elected and qualified. The successor shall be elected for a six year term at the next general election occurring more than one year after the appointment. from a list of candidates nominated by a selection commission, in the manner provided by law.~~

Sec. 2. **SUBMISSION TO VOTERS.**

The proposed amendment must be submitted to the people at the 2008 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to provide that judges shall be appointed by the governor from a list of names submitted by a selection commission, evaluated based on performance before standing for a retention election to the office, and then retained or removed regularly based on a decision by the voters?"

Yes .....  
No ....."

## ARTICLE 2

## STATUTORY PROVISIONS

Section 1. Minnesota Statutes 2006, section 10A.01, subdivision 7, is amended to read:

Subd. 7. **Ballot question.** "Ballot question" means a question or proposition that is placed on the ballot and that may be voted on by all voters of the state. "Promoting or defeating a ballot question" includes activities related to qualifying the question for placement on the ballot. A ballot question does not include a judicial retention election.

Sec. 2. Minnesota Statutes 2006, section 10A.01, subdivision 10, is amended to read:

Subd. 10. **Candidate.** "Candidate" means an individual who seeks nomination or election as a state constitutional officer, ~~or~~ legislator, or ~~judge retention in a judicial office.~~ An individual is deemed to seek nomination or election if the individual has taken the action necessary under the law of this state to qualify for nomination or election, has received contributions or made expenditures in excess of \$100, or has given implicit or explicit consent for any other person to receive contributions or make expenditures in excess of \$100, for the purpose of bringing about the individual's nomination or election. A candidate remains a candidate until the candidate's principal campaign committee is dissolved as provided in section 10A.24.

Sec. 3. Minnesota Statutes 2006, section 10A.01, subdivision 15, is amended to read:

Subd. 15. **Election.** "Election" means a primary, special primary, general, ~~or~~ special, or retention election.

Sec. 4. Minnesota Statutes 2006, section 204B.06, subdivision 6, is amended to read:

Subd. 6. **Judicial retention candidates; designation of ~~term~~ office.** ~~An individual~~ A justice or judge who files as a retention candidate for the office of chief justice or associate justice of the Supreme Court, judge of the Court of Appeals, or judge of the district court shall state in the affidavit of candidacy the office of the particular justice or judge for which the individual is a retention candidate. The individual shall be a retention candidate only for the office identified in the affidavit. Each justice of the Supreme Court and each Court of Appeals and district court judge is deemed to hold a separate nonpartisan office.

Sec. 5. Minnesota Statutes 2006, section 204B.34, subdivision 3, is amended to read:

Subd. 3. **Judicial elections.** When one or more justices of the Supreme Court or judges of the Court of Appeals or of a district court ~~are to be nominated at the same primary or elected at the same general election~~ have filed for retention election, the notice of election shall state the name of each justice or judge ~~whose successor is to be nominated or elected~~ seeking retention.

Sec. 6. Minnesota Statutes 2006, section 204B.36, subdivision 4, is amended to read:

Subd. 4. **Judicial retention candidates.** ~~The official ballot shall contain the names of all candidates for each judicial office and shall state the number of those candidates for whom a voter may vote.~~ (a) The official ballot shall contain the names of all justices or judges seeking to retain their office. Each seat for an associate justice, associate judge, or judge of the district court must be numbered. The words "SUPREME COURT," "COURT OF APPEALS," and "(number) DISTRICT COURT" must be printed above the respective judicial office groups on the ballot. The title of each judicial office shall be printed on the official ~~primary and~~ general election ballot as follows:

(a) (1) In the case of the Supreme Court:

"Chief justice";

"Associate justice (number)";

(b) (2) In the case of the Court of Appeals:

"Judge (number)"; or

(c) (3) In the case of the district court:

"Judge (number)."

(b) A judicial retention election shall be placed on the ballot as a question, as provided in subdivision 3. The question shall appear in substantially the following form: "Shall ..... (name of judge) of the ..... (district court, court of appeals, or supreme court) be retained in office?"

#### Sec. 7. [204D.30] RETENTION OF JUDGES.

(a) Within the time period established by section 204B.09, a judge seeking to retain judicial office shall file an affidavit of candidacy with the secretary of state. All judges who have filed an affidavit of candidacy as provided in this section shall be placed on the appropriate official ballot at the next regular general election under a nonpartisan designation in the form provided in section 204B.36, subdivision 4.

(b) If a majority of those voting on the question votes "No," then upon the expiration of the term for which the judge was serving, a vacancy shall exist, which shall be filled as provided in chapter 480B. If a majority of those voting on the question vote "Yes," the judge shall remain in office for an eight-year term, subject to removal as provided by the Minnesota Constitution. A judge who loses a retention election shall be ineligible to be nominated to fill the resulting vacancy.

(c) A judge seeking to retain judicial office shall be considered a candidate for election to that office. A judicial retention election is not a ballot question for the purposes of the Minnesota election law.

Sec. 8. Minnesota Statutes 2006, section 480B.01, subdivision 11, is amended to read:

Subd. 11. **Nominees to governor.** Within 60 days after the receipt of a notice of a judicial vacancy, the committee shall recommend to the governor no fewer than three and no more than five nominees for each judicial vacancy. The names of the nominees must be made public. The governor may fill the vacancy from the nominees recommended by the commission. If the governor declines to select a nominee to fill the vacancy from the list of nominees, or if no list is submitted to the governor under this subdivision, the governor may select a person to fill the vacancy without regard to the commission's recommendation. If fewer than 60 days remain in the term of office of a governor who will not succeed to another term, the governor may fill a vacancy without waiting for the commission to recommend a list of nominees. Within 60 days from the occurrence of a vacancy in the office of judge, the commission on judicial selection shall submit to the governor the names of three candidates nominated by the commission for the vacancy. The names of the nominees must be made public. The governor shall appoint a qualified person to fill the vacancy from that list of three candidates or may direct the commission to nominate three additional candidates from which the governor shall appoint a qualified person to fill the vacancy. If the governor directs the commission to nominate additional candidates, the commission must submit its list of nominees to the governor within 60 days. If the governor requests an additional set of nominees, the appointment must be made from the new set. If the commission does not submit a list of nominees within the required time frame, the governor may appoint any qualified individual to fill the vacancy without regard to the commission's work.

Sec. 9. **[480B.02] COMMISSION ON APPELLATE JUDICIAL SELECTION.**

**Subdivision 1. Commission on Appellate Judicial Selection.** (a) A Commission on Appellate Judicial Selection is established in the judicial branch. The commission shall be composed of 11 members. In addition to the provisions established in this section, the commission shall conduct business in the manner specified by section 480B.01, subdivisions 7, 9, 10, and 12.

(b) All members of the commission must be residents of the state of Minnesota at the time of their appointment and for the duration of their term. Members of the commission may not serve as a public official as defined in section 10A.01, subdivision 35, while a member of the commission. Members of the commission who are attorneys must have been admitted to practice before the Minnesota Supreme Court for not less than five years. Members shall be eligible for reappointment up to two additional full terms. Members of the commission who would otherwise be eligible to hold judicial office may not be considered or appointed to fill a judicial vacancy while they are members of the commission or for one year following the end of membership on the commission.

**Subd. 2. Commission members.** (a) Members of the commission shall be appointed and serve as follows:

(1) the governor shall appoint five members of the commission, one of whom must be appointed to serve as commission chair. Gubernatorial appointees shall serve on the commission until the governor who made the appointment leaves office or for a term of four years, whichever comes first;

(2) the chief justice of the Supreme Court shall appoint two members of the commission. The chief justice's appointees shall serve on the commission for a four-year term; and

(3) the legislature shall appoint a total of four members. Legislative appointments shall be made sequentially as follows: the speaker of the house shall appoint one member, the majority leader of the senate shall appoint one member, the minority leader of the house shall appoint one member, and the minority leader of the senate shall appoint one member. Legislative appointees shall serve on the commission for a two-year term.

(b) In making appointments, the governor, chief justice, and legislative leaders must consider the diversity of the state's population, as well as the importance of balanced geographic representation, and appoint individuals of outstanding competence and reputation. The governor, chief justice, and legislative leaders should consult with one another to ensure the requirements of this paragraph are met.

(c) A member may be removed by the appointing authority at any time (1) for cause, after notice and hearing, or (2) after missing three consecutive meetings. The chair of the board shall inform the appointing authority of a member missing the three consecutive meetings. After the second consecutive missed meeting and before the next meeting, the secretary of the board shall notify the member in writing that the member may be removed for missing the next meeting.

(d) In the case of a vacancy on the board, the appointing authority shall appoint a person to fill the vacancy for the remainder of the unexpired term.

**Subd. 3. Nominations.** (a) Within 60 days from the occurrence of a vacancy in the office of appellate judge, the Appellate Judicial Merit Selection Commission shall submit to the governor the names of three candidates nominated by the commission for the vacancy. The governor shall appoint a qualified person to fill the vacancy from that list of three candidates or may direct the commission to nominate three additional candidates from which the governor shall appoint a qualified person to fill the vacancy. If the governor directs the commission to nominate additional candidates, the commission must submit its list of nominees to the governor within 60 days. If the governor requests an additional set of nominees, the appointment must be made from the new set. If the commission does not submit a list of nominees within the required time frame, the governor may appoint any qualified individual to fill the vacancy without regard to the commission's work.

(b) The commission must nominate qualified persons to fill a judicial vacancy based on the following criteria: integrity, legal knowledge, communication skills, judicial temperament, the ability to promote trust and confidence in the judiciary, common sense, experience, and diversity. The principal consideration in nominating a candidate for a vacancy shall be merit. The commission must make nominations in an impartial and objective manner without regard for the political affiliation of the nominee or the governor.

Sec. 10. **[480B.03] JUDICIAL PERFORMANCE COMMISSION.**

Subdivision 1. **Purpose of commission.** A Judicial Performance Commission is established in the judicial branch. After public hearings, the commission shall adopt and administer for all judges a process for evaluating judicial performance. The performance review process must be designed to assist voters in evaluating the performance of judges standing for retention, facilitate self-improvement of all judges, and promote the public accountability of the judiciary.

Subd. 2. **Commission members.** (a) The Judicial Performance Commission shall be composed of 25 members. All members of the commission must be residents of Minnesota at the time of their appointment and for the duration of their term. A member of the commission may not serve as a public official, as defined in section 10A.01, subdivision 35, while a member of the commission. Members of the commission who are attorneys must have been admitted to practice before the Minnesota Supreme Court for not less than five years. Members of the commission shall be eligible for reappointment up to two additional full terms.

(b) Members of the commission shall be appointed and serve as follows:

(1) the governor shall appoint a total of nine members. Gubernatorial appointees shall serve on the commission until the governor who made the appointment leaves office or for a term of four years, whichever comes first;

(2) the chief justice of the Supreme Court shall appoint a total of eight members. The chief justice may only appoint individuals who are sitting or former Minnesota state court judges. The chief justice shall select one of the appointees to serve as chair of the commission. The chief justice's appointees shall serve on the commission for a four-year term; and

(3) the legislature shall appoint a total of eight members. Legislative appointments shall be made sequentially as follows: the speaker of the house shall appoint one member, the majority leader of the senate shall appoint one member, the minority leader of the house shall appoint one member, and the minority leader of the senate shall appoint one member. After each legislative leader has made one appointment as provided in this clause, a second round of appointments shall be made in the same sequence. Legislative appointees shall serve on the commission for a two-year term.

(c) In making appointments, the governor, chief justice, and legislative leaders must consider the diversity of the state's population, as well as the importance of balanced geographic representation, and appoint individuals of outstanding competence and reputation. The governor, chief justice, and legislative leaders should consult with one another to ensure the requirements of this paragraph are met.

(d) Members shall perform their duties in an impartial and objective manner and shall base their recommendations solely upon matters that are in the record developed by the commission.

(e) A member may be removed by the appointing authority at any time (1) for cause, after notice and hearing, or (2) after missing three consecutive meetings. The chair of the board shall inform the appointing authority of a member missing the three consecutive meetings. After the second consecutive missed meeting and before the next meeting, the secretary of the board shall notify the member in writing that the member may be removed for missing the next meeting.

(f) In the case of a vacancy on the board, the appointing authority shall appoint a person to fill the vacancy for the remainder of the unexpired term.

Subd. 3. **Meetings and data.** All meetings of the Judicial Performance Commission are subject to the requirements of chapter 13D. Notwithstanding section 13.90, and except as otherwise provided in this section, data collected by the commission is public data pursuant to section 13.03, subdivision 1.

Subd. 4. **Authority of commission.** (a) The Judicial Performance Commission shall develop written standards, subject to approval by the supreme court, by which judicial performance is to be evaluated. The standards shall be periodically updated and must include knowledge of the law, procedure, integrity, impartiality, temperament, respect for litigants, respect for the rule of law, administrative skill, punctuality, and communication skills. The commission may not evaluate judicial performance based on substantive legal issues or opinions subject to standard appellate processes.

(b) The commission shall establish procedures for collecting information and conducting reviews and shall create and implement a program of periodic review of the performance of each judge. The commission must request public comment. Hearings shall be conducted on the performance of all judges prior to a final determination as to whether a judge meets or does not meet judicial performance standards. Hearings may be conducted by a panel of commission members, as provided in subdivision 8.

Subd. 5. **Surveys.** (a) Midway through a judge's term and again no fewer than nine months before the date of the election for retention of the judge's position, anonymous survey forms eliciting performance evaluations shall be distributed to a representative sampling of attorneys, litigants, other judges, and other persons who have been in direct contact with each judge being evaluated and who have direct knowledge of the judge's judicial performance during the evaluation period. The Supreme Court may adopt a rule establishing standards for survey procedures.

(b) The Judicial Performance Commission shall employ or contract with qualified individuals to prepare survey forms, process the survey responses, and compile the statistical reports of the survey results in a manner designed to ensure confidentiality and accuracy.

(c) The survey forms shall seek evaluations in accordance with the written performance standards approved by the Supreme Court and must solicit narrative comments regarding the judge's performance. Narrative comments shall be classified as private. In each election year, prior to making its final evaluation, the commission shall request written public comments and hold public hearings with respect to judges standing for retention.

Subd. 6. **Midterm evaluation.** The commission shall evaluate each judge halfway through the judge's term, as nearly as practicable, to provide feedback to the judge about the judge's performance and to give the judge an opportunity for improvement.

Subd. 7. **Final evaluation.** A judge seeking to be retained in office shall notify the commission in writing at least one year before the judge's term expires. An evaluation panel shall conduct an evaluation of the judge, and declare the judge "qualified" or "unqualified" for office. A declaration of "unqualified" shall not prohibit a judge from seeking retention by the voters.

Subd. 8. **Evaluation panels; review by full commission.** (a) An evaluation panel shall consist of five members, including at least one member appointed by each branch of government, but otherwise chosen randomly. A district judge who serves as a panel member may not evaluate another district judge who sits in the same judicial district. A panel must report its results to the full commission. The full commission shall review a panel's evaluation if the panel declares a judge unqualified, or if one panelist or three members of the commission request a review within 15 days after the panel makes its report. The commission may overturn a panel's decision. If a panel's decision is not reviewed, the determination of the panel shall be final.

(b) If an evaluation is reviewed by the full commission, the commission shall provide written notice to the affected judge. The judge shall have the right to submit written comments to the commission and to appear and be heard by the commission prior to the final vote of the commission.

Subd. 9. **Publication of evaluation results.** Following a final evaluation, the commission shall compile a factual report on the judicial performance of each judge standing for retention and shall make the report available to the public one month before the time period established in section 204B.09 for filing an affidavit of candidacy with the secretary of state.

Subd. 10. **Rules.** The commission may adopt rules establishing additional criteria for evaluating judges and ensuring efficient performance of the commission's duties. For purposes of this subdivision, the commission is an agency under chapter 14.

Sec. 11. **[480B.05] JUDICIAL RETENTION ELECTIONS.**

Judicial retention elections shall be conducted consistent with the procedures established by law for the administration of state general elections. Judges standing for retention shall be placed on the ballot as provided in section 204D.30.

Sec. 12. **[480B.07] REQUIREMENTS FOR SERVICE ON COMMISSIONS.**

Subdivision 1. **Service on multiple commissions prohibited.** A person may not simultaneously serve on two or more commissions established under this chapter.

Subd. 2. **Service until appointment of successors.** Members of commissions established under this chapter continue to serve until their successors have been appointed and qualified.

Sec. 13. **[480B.09] TELEPHONIC OR ELECTRONIC PARTICIPATION IN MEETINGS.**

(a) If compliance with section 13D.02 is impractical, any of the commissions established under this chapter may conduct a meeting of its members by telephone or other electronic means, so long as the following conditions are met:

(1) all members of the commission participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) all members of the public present at the regular meeting location can clearly hear all discussion and testimony and all votes of members;

(3) at least one member of the commission is physically present at the regular meeting location; and

(4) all votes committing funds, finalizing recommendations, and approving contracts are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the commission participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings. If telephone or other electronic means is used to conduct a meeting, the commission, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The commission may require the person making such a connection to pay for documented marginal costs that the commission incurs as a result of the additional connection. If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the commission shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of whether and how a person may monitor the meeting electronically from a remote location. The timing and method of providing notice is governed by section 13D.04.

Sec. 14. **JUDICIAL PERFORMANCE COMMISSION; FIRST MEETING.**

The governor and the chief justice must make initial appointments to the Judicial Performance Commission no later than 90 days following adoption of the constitutional amendment proposed in article 1. The chair of the commission, as appointed by the chief justice, must convene the first full meeting of the commission no later than 30 days after all members of the commission have been appointed.

Sec. 15. **REPEALER.**

Minnesota Statutes 2006, sections 204B.36, subdivision 5; and 204D.14, subdivision 3, are repealed.

Sec. 16. **EFFECTIVE DATE.**

Article 2 is effective upon adoption of the constitutional amendment proposed in article 1."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Public Safety and Civil Justice.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 3102, A bill for an act relating to public safety; defining previous incidents of domestic abuse and previous incidents of child abuse for murder in the first degree; expanding list of predicate crimes involving domestic abuse for murder in the first degree; amending Minnesota Statutes 2006, section 609.185.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 3130, A bill for an act relating to child care; establishing a Child Care Advisory Task Force; requiring a report.

Reported the same back with the following amendments:

Page 2, after line 12, insert:

"Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 3138, A bill for an act relating to state government; ratifying state labor contracts; amending Minnesota Statutes 2006, section 85A.02, subdivision 5a.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mahoney from the Committee on Biosciences and Emerging Technology to which was referred:

H. F. No. 3142, A bill for an act relating to state government; encouraging the State Board of Investment to make certain of its venture capital investments in Minnesota businesses; requiring reporting; amending Minnesota Statutes 2006, section 11A.24, by adding subdivisions.

Reported the same back with the following amendments:

Pages 1 to 2, delete sections 2 and 3

Page 2, line 21, delete "Sections 1 to 3 are" and insert "Section 1 is"

Page 2, line 22, delete "under section 1" and delete everything after the period

Page 2, delete lines 23 and 24

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "subdivisions" and insert "a subdivision"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 3161, A bill for an act relating to veterans; providing for a current listing of deceased Minnesota military personnel; proposing coding for new law in Minnesota Statutes, chapter 197.

Reported the same back with the following amendments:

Page 1, line 8, delete "since September"

Page 1, line 9, delete "11, 2001"

Page 1, line 13, after "note" insert "to the extent feasible"

With the recommendation that when so amended the bill pass.

The report was adopted.

Hilty from the Energy Finance and Policy Division to which was referred:

H. F. No. 3229, A bill for an act relating to utilities; requiring notice to water utility when customer's heat source disconnected; proposing coding for new law in Minnesota Statutes, chapter 216B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 13.681, is amended by adding a subdivision to read:

Subd. 6. **Disconnection.** Certain utility data on disconnections provided to and shared by the commissioner of commerce are governed by section 216B.0976.

Sec. 2. **[216B.0976] CENTRALIZED FILING OF UTILITY DISCONNECTION.**

Subdivision 1. **Notice to state.** Notwithstanding section 13.685 or any other law to the contrary, a public utility, cooperative electric association, or municipality that disconnects a customer's gas or electric service must provide notice of the disconnection to the Department of Commerce as prescribed by this section. On October 15 of each year, a report must be made of the address of properties currently disconnected and the date of the disconnection. Reports must be made as soon as possible of the address of each disconnection made between October 15 and April 15.

Subd. 2. **Central repository; information sharing.** The Department of Commerce shall maintain the reports in an electronic database sorted by the city, or town or county for unincorporated areas, in which a disconnected property is located.

Subd. 3. **Local government access.** The Department of Commerce must allow electronic access to a city, town, or county to disconnection reports for properties located within its jurisdiction.

Subd. 4. **Cooperative electric association exception.** In lieu of providing a report to the department, a cooperative electric association may elect to comply with this section by filing reports of disconnections with the county, city, or town where a disconnected property is located."

Delete the title and insert:

"A bill for an act relating to utilities; requiring reporting of utility disconnections so local governments may get notice; amending Minnesota Statutes 2006, section 13.681, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216B."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Commerce and Labor.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 3292, A bill for an act relating to education; managing school trust fund lands; improving the returns for school trust fund lands; redefining the mission of the Permanent School Fund Advisory Committee; providing a report; amending Minnesota Statutes 2006, sections 84.027, by adding a subdivision; 127A.30.

Reported the same back with the following amendments:

Page 1, line 13, delete "a" and insert "an existing"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

S. F. No. 100, A bill for an act relating to health; establishing state policy for stem cell research; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapters 137; 145.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[137.45] STEM CELL RESEARCH.**

The University of Minnesota may spend state-appropriated funds on stem cell research.

Sec. 2. **[145.427] STATE POLICY FOR STEM CELL RESEARCH.**

Subdivision 1. **Research use permitted.** The policy of the state of Minnesota is that research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells from any source, including somatic cell nuclear transplantation, shall be permitted and that full consideration of the ethical and medical implications of this research be given. Research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells, including somatic cell nuclear transplantation, shall be reviewed by an approved institutional review board.

Subd. 2. **Informed consent.** A physician, surgeon, or other health care provider who is treating a patient for infertility shall provide the patient with timely, relevant, and appropriate information sufficient to allow the patient to make an informed and voluntary choice regarding the disposition of any human embryos remaining following the fertility treatment. Any patient to whom information is provided under this subdivision shall be presented with the options of storing any unused embryos, donating the embryos to another individual, discarding the embryos, or donating the remaining embryos for research. Any patient who elects to donate embryos remaining after fertility treatments for research shall provide written consent to that donation.

Subd. 3. **Prohibiting sale of fetal tissue; cloning of a human being.** (a) A person may not knowingly, for valuable consideration, purchase, sell, or otherwise transfer or obtain, or promote the sale or transfer of, embryonic or cadaveric fetal tissue for research purposes. However, embryonic or cadaveric fetal tissue may be donated for research purposes under this section. For purposes of this subdivision, "valuable consideration" means financial gain or advantage, but does not include reasonable payment for the removal, processing, disposal, preservation, quality control, storage, transplantation, or implantation of embryonic or cadaveric fetal tissue.

(b) Violation of paragraph (a) is a gross misdemeanor.

(c) A person who knowingly engages or assists, directly or indirectly, in the cloning of a human being is guilty of a felony.

As used in this section, "cloning of a human being" means the replication of a human individual by cultivating a cell with genetic material, other than the product of the fertilization of the egg of a human female by the sperm of a human male, through the egg, embryo, fetal, and newborn stages into a new human individual."

With the recommendation that when so amended the bill pass.

#### MINORITY REPORT

February 15, 2008

We, the undersigned, being a minority of the Committee on Public Safety and Civil Justice, recommend that S. F. No. 100 do pass with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[137.45] STEM CELL RESEARCH.**

The University of Minnesota may spend state-appropriated funds on stem cell research pursuant to section 145.427.

Sec. 2. **[145.427] STATE POLICY FOR STEM CELL RESEARCH.**

Subdivision 1. **Definitions.** For the purposes of this section, the following terms have the meanings given.

(a) "Human embryo" means a living organism of the species Homo sapiens at the earliest stages of development, including the single-celled stage, that is not located in a woman's body.

(b) "Risk of injury" means subjecting a human embryo to risk of injury or death greater than that allowed for research on fetuses in utero under section 46.204(b) of title 45, Code of Federal Regulations.

(c) "Asexual reproduction" means reproduction not initiated by the union of oocyte and sperm.

(d) "Human cloning" means human asexual reproduction accomplished by introducing nuclear material from one or more human somatic cells into a fertilized or unfertilized oocyte whose nuclear material has been removed or inactivated so as to produce a living organism, at any stage of development, that is genetically virtually identical to an existing or previously existing human organism.

(e) "Somatic cell" means a diploid cell obtained or derived from a living or deceased human body at any stage of development.

Subd. 2. **Research techniques.** (a) The State of Minnesota shall encourage and support basic and applied research to develop techniques for the isolation, derivation, production, testing, and human clinical use of stem cells that may result in improved understanding of or treatments for diseases and other adverse health conditions, including pluripotent stem cells that have the flexibility of embryonic stem cells, whether or not such pluripotent stem cells have an embryonic source, provided that such isolation, derivation, production, testing, or use will not involve the following:

(1) the creation of a human embryo for research purposes;

(2) the destruction of or discarding of, or risk of injury to, a living human embryo; or

(3) the use of any stem cell, the derivation or provision of which would be inconsistent with the standards established in clauses (1) or (2).

Researchers shall prioritize research with the greatest potential for near-term clinical benefit in human patients.

(b) By September 1, 2008, an approved institutional review board shall issue final guidelines implementing this section to ensure that any research supported under this section meets the following requirements:

(1) is clearly consistent with the standards established in paragraph (a) if conducted using human cells, as demonstrated by animal trials or other substantial evidence; and

(2) is prioritized in terms of potential for near-term clinical benefit in human patients, as indicated by substantial evidence from basic research or by substantial clinical evidence, which may include, but is not limited to, evidence of improvement in one or more human patients suffering from illness or injury, as documented in reports by professional medical or scientific associations or in peer-reviewed medical or scientific literature.

Subd. 3. **Prohibiting sale of fetal tissue.** No person may knowingly, for valuable consideration, purchase, sell, or otherwise transfer or obtain, or promote the sale or transfer of, embryonic or cadaveric fetal tissue for research purposes. For purposes of this subdivision, "valuable consideration" means financial gain or advantage.

Subd. 4. **Prohibition on cloning.** It shall be unlawful for any person or entity, public or private, to knowingly:

(a) perform or attempt to perform human cloning;

(b) participate in an attempt to perform human cloning;

(c) ship or receive for any purpose an embryo produced by human cloning or any product derived from such embryo; or

(d) ship or receive, in whole or in part, any oocyte, embryo, fetus, or human somatic cell, for the purpose of human cloning.

Subd. 5. **Importation.** It shall be unlawful for any person or entity, public or private, to knowingly bring into the state for any purpose an embryo produced by human cloning.

Subd. 6. **Scientific research.** Nothing in this section shall restrict areas of scientific research not specifically prohibited, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans.

Subd. 7. **Penalties.** (a) Any person or entity that knowingly or recklessly violates any provision of this section is guilty of a felony.

(b) Any person or entity that violates any provision of this section, and derives a pecuniary gain from such violation shall be fined up to \$1,000,000, or twice the amount of gross gain, at the discretion of the court.

Subd. 8. **Severability.** If any provision of this section or the application thereof to any person or circumstances is held unconstitutional, the remainder of this section and the application of such provision to other persons or circumstances shall not be affected thereby."

Amend the title accordingly

Signed

TOM EMMER  
DAVE OLIN  
STEVE SMITH  
CHRIS DELAFORREST

Emmer moved that the Minority Report on S. F. No. 100 be substituted for the Majority Report and that the Minority Report be now adopted.

A roll call was requested and properly seconded.

#### LAY ON THE TABLE

Kahn moved that the Minority Report on S. F. No. 100 be laid on the table.

A roll call was requested and properly seconded.

The question was taken on the Kahn motion and the roll was called. There were 68 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Anzelc	Carlson	Greiling	Huntley	Laine	Mahoney
Benson	Clark	Hansen	Jaros	Lenczewski	Mariani
Bigham	Davnie	Hausman	Johnson	Lesch	Masin
Bly	Dittrich	Hilstrom	Kahn	Liebling	Moe
Brown	Dominguez	Hilty	Kalin	Lillie	Morgan
Brynaert	Eken	Hornstein	Knuth	Loeffler	Morrow
Bunn	Gardner	Hortman	Kranz	Madore	Mullery

Murphy, E.	Peterson, S.	Scalze	Swails	Wagenius	Spk. Kelliher
Nelson	Poppe	Sertich	Thao	Walker	
Norton	Rukavina	Simon	Thissen	Welti	
Paymar	Ruud	Slawik	Tillberry	Winkler	
Peterson, A.	Sailer	Slocum	Tschumper	Wollschlager	

Those who voted in the negative were:

Abeler	Dill	Gottwalt	Koenen	Otremba	Smith
Anderson, B.	Doty	Gunther	Kohls	Ozment	Solberg
Anderson, S.	Drazkowski	Hackbarth	Lanning	Paulsen	Tingelstad
Beard	Eastlund	Hamilton	Lieder	Pelowski	Ward
Berns	Emmer	Haws	Marquart	Peppin	Wardlow
Buesgens	Erhardt	Heidgerken	McFarlane	Peterson, N.	Westrom
Cornish	Erickson	Holberg	McNamara	Ruth	Zellers
Dean	Faust	Hoppe	Murphy, M.	Seifert	
DeLaForest	Finstad	Hosch	Nornes	Severson	
Demmer	Fritz	Howes	Olin	Shimanski	
Dettmer	Garofalo	Juhnke	Olson	Simpson	

The motion prevailed and the Minority Report on S. F. No. 100 was laid on the table.

The question recurred on the adoption of the Majority Report from the Committee on Public Safety and Civil Justice relating to S. F. No. 100. The Majority Report on S. F. No. 100 was adopted.

Kohls moved that S. F. No. 100 be re-referred to the Committee on Finance.

A roll call was requested and properly seconded.

The question was taken on the Kohls motion and the roll was called. There were 59 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Garofalo	Howes	Olin	Severson
Anderson, B.	Dill	Gottwalt	Juhnke	Olson	Shimanski
Anderson, S.	Doty	Gunther	Koenen	Otremba	Simpson
Beard	Drazkowski	Hackbarth	Kohls	Ozment	Smith
Berns	Eastlund	Hamilton	Lanning	Paulsen	Tingelstad
Buesgens	Emmer	Haws	Lieder	Pelowski	Ward
Cornish	Erickson	Heidgerken	Marquart	Peppin	Wardlow
Dean	Faust	Holberg	McFarlane	Peterson, N.	Westrom
DeLaForest	Finstad	Hoppe	McNamara	Ruth	Zellers
Demmer	Fritz	Hosch	Nornes	Seifert	

Those who voted in the negative were:

Anzelc	Bly	Bunn	Davnie	Eken	Greiling
Benson	Brown	Carlson	Dittrich	Erhardt	Hansen
Bigham	Brynaert	Clark	Dominguez	Gardner	Hausman

Hilstrom	Knuth	Mahoney	Nelson	Scalze	Tillberry
Hilty	Kranz	Mariani	Norton	Sertich	Tschumper
Hornstein	Laine	Masin	Paymar	Simon	Wagenius
Hortman	Lenczewski	Moe	Peterson, A.	Slawik	Walker
Huntley	Lesch	Morgan	Peterson, S.	Slocum	Welti
Jaros	Liebling	Morrow	Poppe	Solberg	Winkler
Johnson	Lillie	Mullery	Rukavina	Swails	Wollschlager
Kahn	Loeffler	Murphy, E.	Ruud	Thao	Spk. Kelliher
Kalin	Madore	Murphy, M.	Sailer	Thissen	

The motion did not prevail.

### SECOND READING OF HOUSE BILLS

H. F. Nos. 2602, 2788 and 3161 were read for the second time.

### SECOND READING OF SENATE BILLS

S. F. Nos. 100 and 2428 were read for the second time.

### DECLARATION OF URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Tschumper moved that the rule therein be suspended and an urgency be declared so that S. F. No. 2428 be given its third reading and be placed upon its final passage. The motion prevailed.

### SUSPENSION OF RULES

Tschumper moved that the Rules of the House be so far suspended that S. F. No. 2428 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 2428, A bill for an act relating to local government; allowing meetings and events after 6:00 p.m. on March 4, 2008.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Beard	Bly	Bunn	Davnie	Dettmer
Anderson, B.	Benson	Brown	Carlson	Dean	Dill
Anderson, S.	Berns	Brynaert	Clark	DeLaForest	Dittrich
Anzelc	Bigham	Buesgens	Cornish	Demmer	Dominguez

Doty	Hausman	Koenen	Moe	Peterson, N.	Swails
Drazkowski	Haws	Kohls	Morgan	Peterson, S.	Thao
Eastlund	Heidgerken	Kranz	Morrow	Poppe	Thissen
Eken	Hilstrom	Laine	Mullery	Rukavina	Tillberry
Emmer	Hilty	Lanning	Murphy, E.	Ruth	Tingelstad
Erhardt	Holberg	Lenczewski	Murphy, M.	Ruud	Tschumper
Erickson	Hoppe	Lesch	Nelson	Sailer	Wagenius
Faust	Hornstein	Liebling	Nornes	Scalze	Walker
Finstad	Hortman	Lieder	Norton	Seifert	Ward
Fritz	Hosch	Lillie	Olin	Sertich	Wardlow
Gardner	Howes	Loeffler	Olson	Severson	Welti
Garofalo	Huntley	Madore	Otremba	Shimanski	Westrom
Gottwalt	Jaros	Mahoney	Ozment	Simon	Winkler
Greiling	Johnson	Mariani	Paulsen	Simpson	Wollschlager
Gunther	Juhnke	Marquart	Paymar	Slawik	Zellers
Hackbarth	Kahn	Masin	Pelowski	Slocum	Spk. Kelliher
Hamilton	Kalin	McFarlane	Peppin	Smith	
Hansen	Knuth	McNamara	Peterson, A.	Solberg	

The bill was passed and its title agreed to.

### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Mullery introduced:

H. F. No. 3483, A bill for an act relating to police officers; permitting police officers to be represented by an attorney and a union representative at disciplinary hearing; amending Minnesota Statutes 2006, section 626.89, subdivision 9.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Hornstein introduced:

H. F. No. 3484, A bill for an act relating to human services; providing a rate increase for a nursing facility in Minneapolis; appropriating money; amending Minnesota Statutes 2006, section 256B.441, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Finance.

Rukavina introduced:

H. F. No. 3485, A bill for an act relating to education finance; authorizing a fund transfer for Independent School District No. 706, Virginia.

The bill was read for the first time and referred to the Committee on Finance.

Hornstein introduced:

H. F. No. 3486, A bill for an act relating to motor carriers; reallocating proceeds of fees collected since 2005 under the International Fuel Tax Agreement compact; amending Minnesota Statutes 2006, sections 168D.06; 168D.07; 299A.705, subdivision 1.

The bill was read for the first time and referred to the Committee on Finance.

Tingelstad; Paymar; Mullery; Murphy, M.; Kahn; Slocum; Solberg; Hausman; Abeler; Kelliher and Carlson introduced:

H. F. No. 3487, A bill for an act relating to public safety; appropriating money to provide victim services for the safety of human trafficking victims.

The bill was read for the first time and referred to the Committee on Finance.

Garofalo introduced:

H. F. No. 3488, A bill for an act relating to capital investment; providing for a debt limit; proposing coding for new law in Minnesota Statutes, chapter 16A.

The bill was read for the first time and referred to the Committee on Finance.

Liebling introduced:

H. F. No. 3489, A bill for an act relating to health; modifying regulation of certain home care service providers; amending Minnesota Statutes 2006, section 144A.45, subdivision 1, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bigham and Hilstrom introduced:

H. F. No. 3490, A bill for an act relating to drivers' licenses; imposing \$30 reinstatement fee following revocation of juvenile's license; amending Minnesota Statutes 2006, section 171.29, subdivision 1.

The bill was read for the first time and referred to the Committee on Finance.

Morrow introduced:

H. F. No. 3491, A bill for an act relating to motor vehicles; establishing American Red Cross special license plates; proposing coding for new law in Minnesota Statutes, chapter 168.

The bill was read for the first time and referred to the Committee on Finance.

Slocum, Loeffler, Davnie and Benson introduced:

H. F. No. 3492, A bill for an act relating to crimes; prohibiting graffiti; providing incarcerative and intermediate sanctions; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Solberg introduced:

H. F. No. 3493, A bill for an act relating to state government finance; disaster relief appropriations; providing for reimbursement to the state under certain conditions; amending Laws 2007, First Special Session chapter 2, article 1, sections 2; 4, subdivision 4.

The bill was read for the first time and referred to the Committee on Finance.

Pelowski, Haws and Kahn introduced:

H. F. No. 3494, A bill for an act relating to employment; providing up to three hours of paid leave in any 12-month period for state employees to donate blood; authorizing employers to provide leave to employees to donate blood; proposing coding for new law in Minnesota Statutes, chapters 43A; 181.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Kahn, DeLaForest and Rukavina introduced:

H. F. No. 3495, A bill for an act relating to alcohol; allowing persons ages 18 to 20 to drink alcohol in bars; proposing coding for new law in Minnesota Statutes, chapter 340A.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Moe introduced:

H. F. No. 3496, A bill for an act relating to natural resources; requiring updated rules on structures in public waters.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Hilstrom introduced:

H. F. No. 3497, A bill for an act relating to public safety; providing for an e-charging service; requiring fingerprinting; extending per diem for public task force members; amending Minnesota Statutes 2006, sections 13.871, by adding a subdivision; 299C.10, subdivision 1; Minnesota Statutes 2007 Supplement, section 299C.65, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 299C.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Berns and Bigham introduced:

H. F. No. 3498, A bill for an act relating to public safety; authorizing compensation for members of Firefighter Training and Education Board; amending Minnesota Statutes 2006, section 299N.02, subdivision 2.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Berns introduced:

H. F. No. 3499, A bill for an act relating to state lands; providing for the private sale of certain state land to the city of Wayzata.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Lillie introduced:

H. F. No. 3500, A bill for an act relating to business organizations; proposing technical amendments to the Business Corporations Act, the Limited Liability Company Act, and the Uniform Limited Partnership Act of 2001; authorizing the formation of nonprofit limited liability companies; amending Minnesota Statutes 2006, sections 302A.011, subdivisions 17, 50; 302A.111, subdivisions 2, 3, 4; 302A.115, subdivision 1, by adding a subdivision; 302A.231, subdivisions 2, 3; 302A.237; 302A.241, subdivision 1; 302A.255, subdivision 1; 302A.449, subdivision 3; 302A.471, subdivision 3; 302A.521, subdivision 1; 302A.553, subdivision 1; 302A.701; 302A.721; 321.1206; 322B.03, subdivisions 20, 32, by adding a subdivision; 322B.10; 322B.11; 322B.12, subdivision 1, by adding a subdivision; 322B.35, subdivision 3; 322B.363, subdivision 3; 322B.643, subdivisions 2, 3; 322B.66, subdivision 1; 322B.666, subdivision 1; 322B.699, subdivision 1; 322B.78; 322B.80, subdivision 1; 322B.806; 322B.90, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 322B.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Thao; Smith; Fritz; Murphy, E., and Abeler introduced:

H. F. No. 3501, A bill for an act relating to health; changing the definition of chiropractic; amending Minnesota Statutes 2006, section 148.01, subdivision 1, by adding a subdivision; repealing Minnesota Statutes 2006, section 148.01, subdivisions 2, 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Dill introduced:

H. F. No. 3502, A bill for an act relating to state lands; authorizing the private sale of tax-forfeited land in St. Louis County.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Nelson introduced:

H. F. No. 3503, A bill for an act relating to public safety; modifying provision relating to disability of peace officer or firefighter; amending Minnesota Statutes 2006, section 299A.465, subdivision 1.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Thao and Huntley introduced:

H. F. No. 3504, A bill for an act relating to health occupations; establishing a regulation system for technicians performing body art procedures and for body art establishments; adopting penalty fees; proposing coding for new law as Minnesota Statutes, chapter 146B.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bigham, Simon, Hilstrom, Morgan and Smith introduced:

H. F. No. 3505, A bill for an act relating to public safety; prohibiting predatory offenders required to register from accessing and using social networking Web sites; amending Minnesota Statutes 2006, sections 243.166, subdivisions 1a, 4; 244.05, subdivision 6.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Howes and Dill introduced:

H. F. No. 3506, A bill for an act relating to game and fish; appropriating money for Leech Lake walleye stocking.

The bill was read for the first time and referred to the Committee on Finance.

Otremba, Olin and Magnus introduced:

H. F. No. 3507, A bill for an act relating to agriculture; authorizing waiver of certain fees and expedited food handler plan review in certain declared disaster areas; changing certain embargo and condemnation provisions; changing certain food sanitary provisions; changing certain fee provisions; defining certain terms; regulating egg sales and handling; amending Minnesota Statutes 2006, sections 28A.03, by adding a subdivision; 28A.08; 28A.082, by adding a subdivision; 28A.09, subdivision 1; 29.23; 31.05; 31.171; Minnesota Statutes 2007 Supplement, section 31.175.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Hausman introduced:

H. F. No. 3508, A bill for an act relating to retirement; Public Employees Retirement Association general plan; authorizing a city of St. Paul employee to purchase service credit for a period of uncovered service.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Mariani and Johnson introduced:

H. F. No. 3509, A bill for an act relating to property taxation; reattaching land constituting an intermediate airport to the city and school district where the property is located for property tax purposes; amending Minnesota Statutes 2006, sections 473.625; 473F.02, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Peppin introduced:

H. F. No. 3510, A bill for an act relating to local government aids; changing the definition of small city for aid purposes; amending Minnesota Statutes 2006, sections 477A.011, subdivision 34; 477A.013, subdivision 9.

The bill was read for the first time and referred to the Committee on Taxes.

Simon, Mullery, Abeler, Davnie, Walker and Loeffler introduced:

H. F. No. 3511, A bill for an act relating to financial institutions; regulating consumer small loan lender charges; amending Minnesota Statutes 2007 Supplement, section 47.60, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Lesch introduced:

H. F. No. 3512, A bill for an act relating to public safety; permitting federal law enforcement officers to have same authority to arrest and hold an individual in custody as Minnesota police officers; amending Minnesota Statutes 2006, section 626.77, subdivision 1; Minnesota Statutes 2007 Supplement, section 626.84, subdivision 1.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Rukavina and Sertich introduced:

H. F. No. 3513, A bill for an act relating to game and fish; modifying the frequency when traps must be tended; amending Minnesota Statutes 2006, section 97B.931, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Ruud, Eken, Fritz and Loeffler introduced:

H. F. No. 3514, A bill for an act relating to crime; clarifying fiduciary obligation for crimes against vulnerable adults; amending Minnesota Statutes 2006, sections 609.232, by adding a subdivision; 609.2335, subdivisions 1, 2.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Knuth introduced:

H. F. No. 3515, A bill for an act relating to environment; providing for publication of adjustments to costs announced by the Petroleum Tank Release Compensation Board; amending Minnesota Statutes 2006, section 115C.07, subdivision 3.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Davnie, Moe, Paymar, Hilstrom, Clark, Mahoney, Madore, Dominguez, Haws and Mullery introduced:

H. F. No. 3516, A bill for an act relating to data practices; providing for certain data practices relating to foreclosure; requiring a report; amending Minnesota Statutes 2006, section 58.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 580.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Davnie, Morgan, Nelson, Hilstrom, Clark, Paymar, Mahoney, Madore, Norton, Dominguez, Tillberry and Mullery introduced:

H. F. No. 3517, A bill for an act relating to landlord and tenant; modifying expungement and withholding of rent under certain circumstances; amending Minnesota Statutes 2006, sections 484.014, by adding a subdivision; 504B.178, subdivision 8.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Sailer introduced:

H. F. No. 3518, A bill for an act relating to highways; designating the Clearwater County Veterans Memorial Highway; amending Minnesota Statutes 2006, section 161.14, by adding a subdivision.

The bill was read for the first time and referred to the Transportation Finance Division.

Kranz introduced:

H. F. No. 3519, A bill for an act relating to manufactured homes; clarifying collection and deposit procedures for the Minnesota manufactured home relocation trust fund; amending Minnesota Statutes 2006, section 273.125, by adding a subdivision; Minnesota Statutes 2007 Supplement, section 327C.095, subdivisions 12, 13.

The bill was read for the first time and referred to the Committee on Finance.

Winkler, Kohls, Hilstrom, Smith and Thissen introduced:

H. F. No. 3520, A bill for an act relating to public safety; creating new crimes relating to 911 emergency calls; providing criminal penalties; amending Minnesota Statutes 2006, section 609.78.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Loeffler and Abeler introduced:

H. F. No. 3521, A bill for an act relating to child protection; requiring court findings regarding independent living goals for children age 16 or older who are in an out-of-home placement; amending Minnesota Statutes 2006, section 260C.201, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Hilstrom introduced:

H. F. No. 3522, A bill for an act relating to local government; changing the date by which counties must provide summary budget data; amending Minnesota Statutes 2006, section 6.745, subdivision 2.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Drazkowski and Erickson introduced:

H. F. No. 3523, A bill for an act relating to the legislature; limiting per diem payments; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Liebling, Welti, Norton, Otremba and Loeffler introduced:

H. F. No. 3524, A bill for an act relating to human services; revising requirements for county-based purchasing for state health care programs; amending Minnesota Statutes 2006, sections 256B.69, subdivision 3a; 256B.692, subdivisions 1, 2, 5, 7; Minnesota Statutes 2007 Supplement, section 256B.69, subdivision 4; Laws 2005, First Special Session chapter 4, article 8, section 84, as amended; repealing Minnesota Statutes 2006, section 256B.692, subdivision 10.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Magnus and Abeler introduced:

H. F. No. 3525, A bill for an act relating to human services; prohibiting the use of a broker or coordinator for dispatching nonemergency medical transportation and certain disbursements; amending Minnesota Statutes 2006, section 256B.0625, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Finance.

Abeler and Clark introduced:

H. F. No. 3526, A bill for an act relating to insurance; requiring equal access to acupuncture services by certain group policies and subscriber contracts; requiring claim determinations regarding acupuncture services to be made or reviewed by acupuncture practitioners; requiring reporting on referrals to acupuncture practitioners and reimbursement rates; amending Minnesota Statutes 2006, section 62A.15, subdivision 4, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62D.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Mullery introduced:

H. F. No. 3527, A bill for an act relating to courts; establishing a Supreme Court task force to implement statewide standards for mental health courts; appropriating money.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Ward introduced:

H. F. No. 3528, A bill for an act relating to natural resources; modifying definitions of all-terrain vehicles; amending Minnesota Statutes 2006, section 84.92, subdivisions 8, 9, 10.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Hilty introduced:

H. F. No. 3529, A bill for an act relating to energy; providing cold weather protection for certain delivered fuel residential heating customers; proposing coding for new law in Minnesota Statutes, chapter 216B.

The bill was read for the first time and referred to the Energy Finance and Policy Division.

Poppe introduced:

H. F. No. 3530, A bill for an act relating to the city of Austin; authorizing expenditures of tax increments for certain purposes.

The bill was read for the first time and referred to the Committee on Taxes.

Olin introduced:

H. F. No. 3531, A bill for an act relating to crime; clarifying that registration time period of predatory offender restarts after conviction of a new crime; amending Minnesota Statutes 2006, section 243.166, subdivision 6.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Ward introduced:

H. F. No. 3532, A bill for an act relating to game and fish; exempting nonresident senior citizens from angling license requirement; amending Minnesota Statutes 2006, section 97A.451, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Davnie; Brynaert; Simon; Fritz; Johnson; Morgan; Walker; Berns; Madore; Paymar; Peterson, N.; Clark; Benson; Hornstein and Lillie introduced:

H. F. No. 3533, A bill for an act relating to financial institutions; regulating consumer small loans; amending Minnesota Statutes 2006, sections 47.59, subdivision 2; 47.60, subdivisions 1, 4, 6, by adding subdivisions; 332.31, subdivision 3, by adding a subdivision; 332.32; 332.335, by adding a subdivision; Minnesota Statutes 2007 Supplement, section 47.60, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Knuth, Kelliher, Seifert, Emmer, Simpson and Davnie introduced:

H. F. No. 3534, A bill for an act relating to insurance; regulating viatical settlements; enacting and modifying the Viatical Settlements Model Act of the National Association of Insurance Commissions; providing criminal penalties; amending Minnesota Statutes 2006, section 60A.964, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 60A; repealing Minnesota Statutes 2006, sections 13.716, subdivision 7; 60A.961; 60A.962; 60A.963; 60A.965; 60A.966; 60A.967; 60A.968; 60A.969; 60A.970; 60A.971; 60A.972; 60A.973; 60A.974.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Faust introduced:

H. F. No. 3535, A bill for an act relating to human services; increasing payment rates for nursing facilities in Kanabec and Pine Counties to the geographic group III median rate; amending Minnesota Statutes 2006, section 256B.434, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Finance.

Mullery introduced:

H. F. No. 3536, A bill for an act relating to the city of Minneapolis; modifying the city's housing replacement district law; amending Laws 1995, chapter 264, article 5, sections 44, subdivision 4, as amended; 45, subdivision 1, as amended; 46, subdivision 2.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bly; Hilty; Knuth; Kalin; Peterson, A., and Hornstein introduced:

H. F. No. 3537, A bill for an act relating to energy; establishing rate schedule for certain renewable energy projects; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 216B.

The bill was read for the first time and referred to the Committee on Finance.

Winkler, Ruud, Mahoney, Norton and Rukavina introduced:

H. F. No. 3538, A bill for an act relating to insurance taxes; providing a credit for investment in start-up and emerging Minnesota businesses; proposing coding for new law in Minnesota Statutes, chapters 116J; 297I.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Swails; Dean; Walker; Sertich; Brod; Greiling; Huntley; Fritz; Hilstrom; Abeler; Anderson, B.; Tschumper; Lanning; Otremba; Madore; Hosch; Koenen; McFarlane; Ruud; Finstad; Tingelstad; Wardlow; Paymar; Bly; Emmer; Magnus; Juhnke; Olin; Lieder; Zellers; Solberg; Howes; Gunther; Ward and Urdahl introduced:

H. F. No. 3539, A bill for an act relating to health; providing an exception to hospital construction moratorium; amending Minnesota Statutes 2006, section 144.551, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Gardner and Sailer introduced:

H. F. No. 3540, A bill for an act relating to solid waste; amending the definition of mixed municipal solid waste; defining reuse; establishing principles of product stewardship; requiring recycling of construction and demolition waste in state buildings; requiring a study; requiring a resource recovery facility to recover and recycle metals; setting recycling goals for certain construction and demolition projects; regulating waste management charges; setting standards for compost containers; establishing eligibility of waste management activities as greenhouse gas offset projects; exempting certain equipment from the state sales tax; regulating charges for nonmixed municipal solid waste; allowing residents to decline to receive local telephone directories; requiring a model ordinance; establishing a task force; providing penalties; appropriating money; amending Minnesota Statutes 2006, sections 115A.03, subdivisions 21, 32a, by adding a subdivision; 115A.93, subdivisions 3, 3a; 115A.9301; 297A.68, subdivision 24; 297H.02, subdivision 2; 297H.04; Minnesota Statutes 2007 Supplement, section 216B.241, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16B; 115A; 325E; repealing Minnesota Statutes 2006, sections 115A.175; 115A.18; 115A.19; 115A.191; 115A.192; 115A.194; 115A.195; 115A.20; 115A.24; 115A.28, subdivision 3; 115A.30; 115A.301; 115A.31; 115A.55, subdivision 4; 115A.5501, subdivision 1; 115A.551, subdivision 7; Minnesota Statutes 2007 Supplement, sections 115A.193; 115A.28, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Marquart, Howes, Lanning, Solberg and Koenen introduced:

H. F. No. 3541, A bill for an act relating to waters; modifying cost apportionment for construction and maintenance of certain bridges and culverts; amending Minnesota Statutes 2006, section 103E.525, subdivisions 2, 4, 5.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Juhnke introduced:

H. F. No. 3542, A bill for an act relating to capital improvements; appropriating money for veterans homes; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Finance.

Winkler and Peterson, N., introduced:

H. F. No. 3543, A bill for an act relating to business organizations; providing for the return of documents submitted to the secretary of state; regulating foreign cooperatives; removing the request that the attorney general and the Department of Revenue be notified of the dissolution of foreign cooperatives and nonprofit corporations; allowing foreign limited liability partnerships to use alternative names under certain circumstances; eliminating contest of name filings; amending Minnesota Statutes 2006, sections 47.12, subdivision 2; 60A.07, subdivision 1; 303.11; 303.16, subdivision 4; 303.17, subdivision 4; 308A.005, by adding a subdivision; 308B.211, subdivision 2; 308B.221, subdivision 4; 317A.823, subdivision 2; 321.0108; 323A.1102; proposing coding for new law in Minnesota Statutes, chapters 5; 308A; 308B; repealing Minnesota Statutes 2006, sections 5.22; 302A.115, subdivision 8; 303.05, subdivision 4; 308A.121, subdivision 3; 308B.151; 317A.115, subdivision 6; 322B.12, subdivision 6.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Heidgerken introduced:

H. F. No. 3544, A bill for an act relating to natural resources; adding land to Monson Lake State Park.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Atkins, Eken, Hilty, Ozment, Knuth, Wagenius, Hansen and Peterson, A., introduced:

H. F. No. 3545, A bill for an act relating to environment; requiring reporting of purchases and sales of certain gases; requiring disclosure of leakage rates of air conditioners in motor vehicles; requiring the use of certain refrigerants in mobile air conditioners under certain circumstances; prohibiting the sale of certain refrigerants; requiring a report; amending Minnesota Statutes 2006, sections 13.7411, by adding a subdivision; 115.071, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 216H.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Eken introduced:

H. F. No. 3546, A bill for an act relating to game and fish; authorizing commissioner of natural resources to extend the season for up to two weeks to take fish species in certain waters; amending Minnesota Statutes 2006, sections 97C.001, subdivision 3; 97C.005, subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Dill introduced:

H. F. No. 3547, A bill for an act relating to game and fish; modifying report requirements for game and fish fund; modifying disposition of pheasant habitat improvement account; modifying wild turkey management account; modifying hunting and fishing licensing and taking provisions; authorizing rulemaking; amending Minnesota Statutes 2006, sections 97A.015, by adding a subdivision; 97A.055, subdivision 4b; 97A.075, subdivisions 4, 5; 97A.311, subdivision 5; 97A.431, subdivision 2; 97A.433, subdivision 2; 97A.434, subdivision 2; 97A.475, subdivision 5; 97A.485, subdivision 6; 97B.015, subdivision 5; 97B.106, subdivision 1; 97B.211, subdivision 1; 97B.301, subdivision 6; 97B.721; 97C.355, subdivisions 4, 7a; 97C.401, subdivision 2; Minnesota Statutes 2007 Supplement, sections 97A.055, subdivision 4; 97A.405, subdivision 2; 97A.441, subdivision 7; 97A.475, subdivisions 2, 3, 11, 12; 97B.328; 97C.355, subdivisions 2, 8; repealing Minnesota Statutes 2006, section 97A.411, subdivision 2; Minnesota Rules, parts 6232.0200, subpart 4; 6232.0300, subpart 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Dill introduced:

H. F. No. 3548, A bill for an act relating to state lands; authorizing public and private sales of certain tax-forfeited land.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Dill introduced:

H. F. No. 3549, A bill for an act relating to natural resources; establishing medical standards for permitting off-highway vehicle use by disabled persons on public trails; amending Minnesota Statutes 2006, section 84.926, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Hansen, Cornish, Scalze, Eken and Ozment introduced:

H. F. No. 3550, A bill for an act relating to natural resources; providing for viral hemorrhagic septicemia control; authorizing rulemaking; amending Minnesota Statutes 2006, sections 17.4985, subdivisions 2, 3, 5; 17.4986, subdivisions 1, 2, 4; 17.4987; 17.4992, subdivision 2; 17.4993; 84D.03, subdivision 4; 97C.203; 97C.205; 97C.341; 97C.391, by adding a subdivision; 97C.505, subdivision 1; 97C.515, subdivisions 2, 4, 5; 97C.821; repealing Minnesota Statutes 2006, section 97C.515, subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Howes introduced:

H. F. No. 3551, A bill for an act relating to transportation; requiring direct access to highway 371 for certain parcels of land.

The bill was read for the first time and referred to the Transportation Finance Division.

Juhnke, Magnus and Hilty introduced:

H. F. No. 3552, A bill for an act relating to agriculture; adding a member to the NextGen Energy Board; removing a sunset date; modifying an appropriation; amending Minnesota Statutes 2007 Supplement, section 41A.105; Laws 2007, chapter 45, article 1, section 3, subdivision 4.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Simon introduced:

H. F. No. 3553, A bill for an act relating to data practices; making technical changes; amending Minnesota Statutes 2006, sections 13.03, subdivision 3; 260B.171, subdivision 5; Minnesota Statutes 2007 Supplement, section 13.39, subdivisions 2, 2a.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Simon introduced:

H. F. No. 3554, A bill for an act relating to government data practices; regulating use of driver's license numbers and application information; amending Minnesota Statutes 2006, sections 13.6905, subdivision 2, by adding a subdivision; 168.346, subdivision 1, by adding a subdivision; 171.12, subdivision 7, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Simon introduced:

H. F. No. 3555, A bill for an act relating to public safety; classifying law enforcement agency hold data as private; amending Minnesota Statutes 2006, section 13.87, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Simon introduced:

H. F. No. 3556, A bill for an act relating to public safety; holding department harmless for negligent dissemination of vehicle or driver data; amending Minnesota Statutes 2006, section 13.69, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Koenen; Urdahl; Tschumper; Eken; Peterson, A.; Fritz; Ward; Murphy, E.; Morgan; Olin; Kalin; Moe and Winkler introduced:

H. F. No. 3557, A bill for an act relating to veterans; appropriating money for a veterans paramedic apprenticeship program.

The bill was read for the first time and referred to the Committee on Finance.

Madore and Erhardt introduced:

H. F. No. 3558, A bill for an act relating to motor vehicles; requiring commissioner of public safety to issue special 2008 U.S. Women's Open license plates.

The bill was read for the first time and referred to the Committee on Finance.

Sailer; Thao; Howes; Moe; Abeler; Juhnke; Koenen; Peterson, A., and Solberg introduced:

H. F. No. 3559, A bill for an act relating to human services; modifying license requirements for day training and habilitation programs; amending Minnesota Statutes 2006, section 245B.07, subdivision 12.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Kalin and Hausman introduced:

H. F. No. 3560, A bill for an act relating to transportation; appropriating money for commuter bus service along Interstate Highway I-35.

The bill was read for the first time and referred to the Committee on Finance.

Sailer and Eken introduced:

H. F. No. 3561, A bill for an act relating to natural resources; modifying public water access site acquisition authority; amending Minnesota Statutes 2006, section 97A.141, subdivision 1; repealing Minnesota Statutes 2006, section 97A.141, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Mullery introduced:

H. F. No. 3562, A bill for an act relating to civil law; removing the five-day waiting requirement to issue a marriage license; amending Minnesota Statutes 2007 Supplement, section 517.08, subdivision 1b.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Mullery introduced:

H. F. No. 3563, A bill for an act relating to civil law; removing the requirement to provide Social Security numbers on marriage applications; amending Minnesota Statutes 2006, section 517.08, subdivision 1a.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Walker introduced:

H. F. No. 3564, A bill for an act relating to human services; amending child welfare and child support provisions; adopting a new Interstate Compact for the Placement of Children and repealing the old compact; regulating child and adult adoptions; directing the commissioner to adopt rules; amending Minnesota Statutes 2006, sections 13.46, by adding subdivisions; 256.87, subdivision 5; 259.20, subdivision 1; 259.21, by adding a subdivision; 259.22, subdivision 2; 259.23, subdivision 2; 259.43; 259.52, subdivision 2; 259.53, subdivisions 3, 5; 259.59, subdivisions 1, 2; 259.67, subdivisions 2, 3, by adding a subdivision; 259.75, subdivision 5; 259.89, subdivisions 1, 2, 4, by adding a subdivision; 260.795, subdivision 3; 260C.001, subdivision 2; 260C.007, subdivisions 5, 6, 13; 260C.171, subdivision 2; 260C.178, subdivision 1; 260C.212, subdivision 7, by adding a subdivision; 260C.325, subdivisions 1, 3; 518A.42, subdivision 1; 518A.46, subdivision 5; 524.2-114; 541.04; 548.09, by adding a subdivision; 550.01; 626.556, subdivision 7; Minnesota Statutes 2007 Supplement, sections 259.41, subdivision 1; 259.53, subdivision 2; 259.57, subdivision 1; 259.67, subdivision 4; 260C.163, subdivision 1; 260C.209, subdivisions 1, 2, by adding a subdivision; 260C.212, subdivision 4; 626.556, subdivision 10a; Laws 2007, chapter 147, article 2, section 56; proposing coding for new law in Minnesota Statutes, chapters 259; 260; repealing Minnesota Statutes 2006, sections 260.851; 260B.241; 260C.207; 548.091, subdivision 3b; Minnesota Rules, part 9560.0092.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bunn and Hausman introduced:

H. F. No. 3565, A bill for an act relating to environment; authorizing revenue bonds to be sold for closed landfill cleanup; directing the Pollution Control Agency to provide cleanup of certain closed landfill sites; appropriating money; amending Minnesota Statutes 2006, section 116.155, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 116.

The bill was read for the first time and referred to the Committee on Finance.

Nelson, Gunther, Atkins and Davnie introduced:

H. F. No. 3566, A bill for an act relating to workers' compensation; adopting recommendations of the Workers' Compensation Advisory Council; amending Minnesota Statutes 2006, sections 176.011, subdivision 9; 176.041, subdivision 1; 176.101, subdivision 1; 176.102, subdivisions 2, 11; 176.135, by adding a subdivision; 176.136, subdivisions 1a, 1b; 176.1812, subdivision 1; 176.183, subdivision 1; 176.185, subdivision 8a; 176.231, subdivision 10; 176.245; 176.275, subdivision 1; 176.285; 176.83, subdivision 7; repealing Minnesota Statutes 2006, sections 176.1041; 176.669.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Shimanski introduced:

H. F. No. 3567, A bill for an act relating to retirement; general employees retirement plan of the Public Employees Retirement Association; waiving annuity repayment requirement for a certain Glencoe/Silver Lake school district retiree.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Hackbarth, Juhnke, Rukavina, Cornish and Smith introduced:

H. F. No. 3568, A bill for an act relating to crime; increasing the lawful amount of explosives allowed in certain fireworks; amending Minnesota Statutes 2006, section 624.20, subdivision 1.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Rukavina, Anzelc, Sertich, Solberg and Dill introduced:

H. F. No. 3569, A bill for an act relating to workers' health; directing the University of Minnesota to study workers' health including lung health; appropriating money.

The bill was read for the first time and referred to the Committee on Finance.

Murphy, E., introduced:

H. F. No. 3570, A bill for an act relating to human services; prohibiting personal liability for certain persons with mental illness; amending Minnesota Statutes 2006, section 246.51, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Marquart introduced:

H. F. No. 3571, A bill for an act relating to taxation; requiring exchange of information in certain property tax petitions; imposing sanctions; amending Minnesota Statutes 2006, section 278.05, subdivision 6.

The bill was read for the first time and referred to the Committee on Taxes.

Smith introduced:

H. F. No. 3572, A bill for an act relating to public safety; repealing the Furniture Fire Safety Act; repealing Minnesota Statutes 2006, sections 299F.840; 299F.841, subdivisions 1, 4, 5, 6, 7, 8; 299F.842; 299F.843; 299F.844; 299F.845; 299F.846; 299F.847; 299F.848.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Otremba; Finstad; Ward; Brown; Magnus; Peterson, A.; Shimanski; Urdahl; Howes; Koenen; Morrow; Faust; Marquart; Westrom and Drazkowski introduced:

H. F. No. 3573, A bill for an act relating to human services; revising requirements for county-based purchasing for state health care programs; requiring a mandated report; amending Minnesota Statutes 2006, sections 256B.69, subdivision 3a; 256B.692, subdivisions 1, 2, 7; Laws 2005, First Special Session chapter 4, article 8, section 84, as amended.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Juhnke, Hosch, Nelson, Mahoney, Anzelc, Solberg, Haws, Norton, Hilty, Howes and Gunther introduced:

H. F. No. 3574, A bill for an act relating to the State Building Code; regulating the application and enforcement of the State Building Code; amending Minnesota Statutes 2006, sections 16B.616, subdivision 4; 16B.62; 16B.71; Minnesota Statutes 2007 Supplement, section 16B.735; repealing Minnesota Statutes 2007 Supplement, sections 16B.72; 16B.73.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bigham, Mariani and Erhardt introduced:

H. F. No. 3575, A bill for an act relating to pupil transportation; establishing qualifications for type III school bus drivers; providing criminal penalties; authorizing rulemaking; amending Minnesota Statutes 2006, sections 169.454, subdivision 13; 169A.31; 171.02, by adding subdivisions.

The bill was read for the first time and referred to the Transportation Finance Division.

Madore introduced:

H. F. No. 3576, A bill for an act relating to human services; authorizing the ombudsman and Medical Review Subcommittee to gather data about deceased clients; amending Minnesota Statutes 2006, sections 245.91, subdivision 3, by adding a subdivision; 245.92; 245.94, subdivisions 1, 2a; 245.97, subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Tschumper introduced:

H. F. No. 3577, A bill for an act relating to counties; providing a process for making certain county offices appointive in Houston County.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Hilty introduced:

H. F. No. 3578, A bill for an act relating to energy; clarifying terms of propane prepurchase program; amending Minnesota Statutes 2007 Supplement, section 216B.0951, subdivision 1.

The bill was read for the first time and referred to the Committee on Finance.

Norton, Hamilton, Thao and Erickson introduced:

H. F. No. 3579, A bill for an act relating to human services; making changes to continuing care provisions; amending local certification requirements; amending Minnesota Statutes 2007 Supplement, section 256B.49, subdivision 16a.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Brown, Kalin and Poppe introduced:

H. F. No. 3580, A bill for an act relating to energy; clarifying definition of eligible energy technologies for purposes of the renewable energy standard; amending Minnesota Statutes 2007 Supplement, section 216B.1691, subdivision 1.

The bill was read for the first time and referred to the Energy Finance and Policy Division.

Peppin introduced:

H. F. No. 3581, A bill for an act relating to state government; repealing duties relating to the economic status of women; repealing Minnesota Statutes 2006, section 3.303, subdivision 7.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Tschumper introduced:

H. F. No. 3582, A bill for an act relating to insurance; homeowners; regulating flood insurance coverage; requiring disclosures of noncoverage; proposing coding for new law in Minnesota Statutes, chapter 65A.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Johnson introduced:

H. F. No. 3583, A bill for an act relating to public safety; modifying the retention of juvenile adjudication history; amending Minnesota Statutes 2006, section 299C.095, subdivisions 1, 2.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Koenen, Otremba, Juhnke, Solberg, Abeler, Gunther, Haws, Olin, Shimanski and Heidgerken introduced:

H. F. No. 3584, A bill for an act relating to agriculture; establishing requirements for practicing animal chiropractic care; amending Minnesota Statutes 2006, section 148.01, subdivision 1, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 148.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Koenen, Hilty and Peterson, N., introduced:

H. F. No. 3585, A bill for an act relating to energy; describing powers of qualifying owner of community-based energy development project; amending Minnesota Statutes 2006, section 216B.1612, by adding a subdivision.

The bill was read for the first time and referred to the Energy Finance and Policy Division.

Thissen, Dittrich, Lesch, Carlson, Paulsen, Dill, Erhardt, Moe, Koenen, Hilstrom, Nornes, Zellers, Kohls, DeLaForest, Hosch, Jaros, Slawik, Simpson, Lanning and Seifert introduced:

H. F. No. 3586, A bill for an act relating to taxation; providing an equity and opportunity in education tax credit; amending Minnesota Statutes 2006, section 290.01, subdivisions 19a, 19c; proposing coding for new law in Minnesota Statutes, chapter 290.

The bill was read for the first time and referred to the Committee on Taxes.

Solberg, Carlson, Sertich and Kelliher introduced:

H. F. No. 3587, A bill for an act relating to state government; specifying the development of budget recommendations and requiring state agencies to provide information; amending Minnesota Statutes 2006, section 3.885, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Finance.

Magnus and Abeler introduced:

H. F. No. 3588, A bill for an act relating to human services; increasing rates for medical assistance coverage of special transportation services; amending Minnesota Statutes 2006, section 256B.0625, subdivision 17.

The bill was read for the first time and referred to the Committee on Finance.

Madore introduced:

H. F. No. 3589, A bill for an act relating to public safety; conforming definition of "hazardous materials" to federal definition for purposes of transporting it; conforming school bus endorsement provisions to federal regulations; providing license exemption for operator of commercial motor vehicle operated on behalf of federal government; adding provisions conforming to federal regulation to require notice of commercial vehicle driver's

conviction or license suspension; providing for enforcement of commercial vehicle out-of-service orders; imposing monetary penalty for violation by motor carrier employer of railroad-highway grade crossing laws to conform to federal law; amending Minnesota Statutes 2006, sections 169.01, subdivision 76; 171.01, subdivision 35; 171.03; 171.165, subdivision 2; 221.011, by adding a subdivision; 221.036, subdivisions 1, 3; 221.221, subdivision 2; 299D.03, subdivision 1; 299D.06; Minnesota Statutes 2007 Supplement, section 171.02, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 171.

The bill was read for the first time and referred to the Transportation Finance Division.

Wagenius and Lenczewski introduced:

H. F. No. 3590, A bill for an act relating to waters; establishing a ground water monitoring charge; amending Minnesota Statutes 2006, section 103G.271, subdivision 6.

The bill was read for the first time and referred to the Committee on Taxes.

Tingelstad, Greiling and Slawik introduced:

H. F. No. 3591, A bill for an act relating to health; requiring health plans to provide coverage for certain infertility treatments; proposing coding for new law in Minnesota Statutes, chapter 62Q.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Thao introduced:

H. F. No. 3592, A bill for an act relating to health; requiring the commissioner of health to establish a registry of health care interpreter services; appropriating money; amending Minnesota Statutes 2006, section 295.52, subdivisions 1, 1a, 2; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Marquart introduced:

H. F. No. 3593, A bill for an act relating to education finance; modifying school district reciprocity agreements; amending Minnesota Statutes 2006, sections 124D.04, subdivisions 3, 6, 8, 9; 124D.05, by adding a subdivision; 125A.76, by adding a subdivision; 126C.10, subdivision 31, by adding a subdivision; 127A.45, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 124D.

The bill was read for the first time and referred to the Committee on Finance.

Norton introduced:

H. F. No. 3594, A bill for an act relating to education; creating grants for pilot programs to reduce achievement and opportunity gaps; appropriating money.

The bill was read for the first time and referred to the Committee on E-12 Education.

Anzels introduced:

H. F. No. 3595, A bill for an act relating to education; allowing licensed physicians and licensed psychologists to make a diagnosis and determination of ADD and ADHD; amending Minnesota Statutes 2006, section 125A.02, subdivision 1.

The bill was read for the first time and referred to the Committee on E-12 Education.

Faust introduced:

H. F. No. 3596, A bill for an act relating to education; prohibiting the commissioner of education from enforcing unadopted rules; amending Minnesota Statutes 2006, section 127A.05, subdivision 4.

The bill was read for the first time and referred to the Committee on E-12 Education.

Mullery introduced:

H. F. No. 3597, A bill for an act relating to crimes; modifying law protecting victims of sexual assault; amending Minnesota Statutes 2006, section 628.26.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Mullery introduced:

H. F. No. 3598, A bill for an act relating to crime; providing for a minimum presumptive executed sentence for repeat sex offenders; amending Minnesota Statutes 2006, section 609.3455, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Marquart, Gunther, Simpson, Seifert, Shimanski, Lanning and Anderson, B., introduced:

H. F. No. 3599, A bill for an act relating to economic development; requiring a standard business subsidy agreement for the JOBZ program; amending Minnesota Statutes 2006, section 469.310, subdivision 11.

The bill was read for the first time and referred to the Higher Education and Work Force Development Policy and Finance Division.

Clark introduced:

H. F. No. 3600, A bill for an act relating to mortgage foreclosures; declaring an emergency; permitting postponement of certain mortgage foreclosure proceedings; proposing coding for new law in Minnesota Statutes, chapter 582.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Greiling; Carlson; Slawik; Hilstrom; Murphy, M.; Mariani and Peterson, S., introduced:

H. F. No. 3601, A bill for an act relating to education finance; increasing general education and special education funding for school districts; increasing funding for early education programs; modifying individual income tax rates; depositing revenues in a K-12 education account; appropriating money; amending Minnesota Statutes 2006, sections 124D.13, by adding a subdivision; 124D.15, by adding a subdivision; 290.06, subdivision 2c; 290.62; Minnesota Statutes 2007 Supplement, sections 124D.135, subdivisions 1, 5; 124D.15, subdivision 3; 125A.76, subdivisions 1, 2; 125A.79, subdivisions 1, 5; 126C.10, subdivision 2; repealing Minnesota Statutes 2007 Supplement, sections 125A.76, subdivisions 4, 5; 125A.79, subdivision 6.

The bill was read for the first time and referred to the Committee on Taxes.

Dill and Lanning introduced:

H. F. No. 3602, A bill for an act relating to economic development; amending business subsidy provisions; defining terms; amending Minnesota Statutes 2006, sections 116J.993, subdivision 3; 116J.994, subdivisions 2, 5.

The bill was read for the first time and referred to the Committee on Finance.

Bunn, Mahoney and Nelson introduced:

H. F. No. 3603, A bill for an act relating to the State Building Code; establishing standards for installation of flashing in certain new construction and remodeling; requiring the commissioner of labor and industry to adopt rules modifying the State Building Code; proposing coding for new law in Minnesota Statutes, chapter 16B.

The bill was read for the first time and referred to the Housing Policy and Finance and Public Health Finance Division.

Lesch and Hilstrom introduced:

H. F. No. 3604, A bill for an act relating to public safety; reducing or eliminating certain fees enacted during period of recent budget shortfalls to raise revenue, including criminal offense surcharge, DWI license reinstatement fee, various court fees, and public defender co-pay; amending Minnesota Statutes 2006, sections 171.29, subdivision 2; 271.06, subdivision 4; 357.021, subdivisions 2, 6, 7; 357.022; 357.08; Minnesota Statutes 2007 Supplement, section 611.17.

The bill was read for the first time and referred to the Committee on Finance.

Brod, Dettmer, Draskowski, Gottwalt, Berns and Dean introduced:

H. F. No. 3605, A bill for an act relating to drivers' licenses; regulating information on drivers' licenses and permits and Minnesota identification cards; requiring determination of citizenship status for obtaining a license; making technical changes; amending Minnesota Statutes 2006, sections 171.06, subdivision 3; 171.14; 171.22, subdivision 2; Minnesota Statutes 2007 Supplement, section 171.06, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 171.

The bill was read for the first time and referred to the Transportation Finance Division.

Mullery introduced:

H. F. No. 3606, A bill for an act relating to crime; adding criminal convictions that lead to enhancement of fifth degree criminal sexual conduct; amending Minnesota Statutes 2006, section 609.3451, subdivision 3.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Clark introduced:

H. F. No. 3607, A bill for an act relating to health; providing that WIC coupons may be used to purchase organic food; proposing coding for new law in Minnesota Statutes, chapter 145.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Norton and Fritz introduced:

H. F. No. 3608, A bill for an act relating to human services; creating a special revenue fund for the surcharge on licensed nursing home beds; amending Minnesota Statutes 2006, section 256.9657, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16A.

The bill was read for the first time and referred to the Committee on Finance.

Emmer introduced:

H. F. No. 3609, A bill for an act relating to insurance; enacting the Minnesota Freedom to Buy and Sell Act; providing Minnesota employers and residents with the freedom to buy health coverage approved for sale in any state; providing insurance companies the freedom to sell in this state any health coverage permitted for sale in any other state; amending Minnesota Statutes 2006, section 62A.02, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Loeffler, Davnie, Atkins and Knuth introduced:

H. F. No. 3610, A bill for an act relating to health; regulating medical debt information; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Peterson, A., and Koenen introduced:

H. F. No. 3611, A bill for an act relating to occupations and professions; improving physician licensure standards based on reciprocity; amending Minnesota Statutes 2007 Supplement, section 147.037, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Davnie, Kelliher and Sertich introduced:

H. F. No. 3612, A bill for an act relating to real property; providing for the Minnesota Subprime Foreclosure Deferment Act of 2008; proposing coding for new law in Minnesota Statutes, chapter 583.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Solberg and Anzelc introduced:

H. F. No. 3613, A bill for an act relating to human services; qualifying residential hospice facilities for group residential housing payments; amending Minnesota Statutes 2006, section 256I.04, subdivision 2a.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Moe introduced:

H. F. No. 3614, A bill for an act relating to health-related licensing boards; modifying the membership and authority of the Board of Veterinary Medicine; amending Minnesota Statutes 2006, sections 156.01, subdivision 1; 156.127, subdivision 1, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Loeffler, Slawik, Walker, Marquart and Abeler introduced:

H. F. No. 3615, A bill for an act relating to human services; appropriating money for county social services; requiring a mandated report.

The bill was read for the first time and referred to the Committee on Finance.

Walker, Thissen, Huntley, Hosch and Sertich introduced:

H. F. No. 3616, A bill for an act relating to human services; prohibiting unpaid work in Minnesota Family Investment Program; repealing the Minnesota Family Investment Program family cap and rental subsidy as unearned income provision; amending Minnesota Statutes 2006, sections 256J.24, subdivision 5; 256J.425, subdivisions 3, 4, 7; 256J.46, subdivision 1; 256J.53, subdivision 1; 256J.95, subdivision 15; Minnesota Statutes 2007 Supplement, section 256J.49, subdivision 13; repealing Minnesota Statutes 2006, sections 256J.24, subdivision 6; 256J.37, subdivision 3a.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Koenen, Otremba, Solberg, Heidgerken and Juhnke introduced:

H. F. No. 3617, A bill for an act relating to health; establishing a wound prevention and care formulary demonstration project for state veterans homes; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 198.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Walker, Thissen, Huntley, Otremba and Hosch introduced:

H. F. No. 3618, A bill for an act relating to human services; repealing the Minnesota family investment program family cap; repealing Minnesota Statutes 2006, section 256J.24, subdivision 6.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Walker and Hosch introduced:

H. F. No. 3619, A bill for an act relating to human services; appropriating money for supported work and auto-related costs for MFIP participants.

The bill was read for the first time and referred to the Committee on Finance.

Walker and Fritz introduced:

H. F. No. 3620, A bill for an act relating to marriage; family therapists; imposing duty to warn of violent patient behavior; limiting liability; proposing coding for new law in Minnesota Statutes, chapter 148B.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Hilstrom and Greiling introduced:

H. F. No. 3621, A bill for an act relating to education; extending the special education task force to allow it to complete its study of state special education rules; repealing sections identified by this task force; amending Minnesota Statutes 2007 Supplement, section 125A.14; Laws 2007, chapter 146, article 3, section 23, subdivision 2; repealing Minnesota Statutes 2006, sections 125A.16; 125A.19; 125A.20; 125A.57.

The bill was read for the first time and referred to the Committee on E-12 Education.

Peterson, S.; Carlson; Morgan; Greiling and Hilstrom introduced:

H. F. No. 3622, A bill for an act relating to education finance; authorizing a school district with a low fund balance to hold a referendum election at a time other than November; amending Minnesota Statutes 2006, section 126C.17, subdivision 11.

The bill was read for the first time and referred to the Committee on Finance.

Emmer introduced:

H. F. No. 3623, A bill for an act relating to education finance; authorizing school boards to spend staff development revenue on CPR and automatic external defibrillator training; amending Minnesota Statutes 2006, sections 122A.60, subdivision 1a; 122A.61, subdivision 1.

The bill was read for the first time and referred to the Committee on Finance.

Mariani; Murphy, M.; Greiling and Erickson introduced:

H. F. No. 3624, A bill for an act relating to education finance; expanding Minnesota's public education mission to include a framework to guide future education policy decisions; amending Minnesota Statutes 2006, section 120A.03.

The bill was read for the first time and referred to the Committee on E-12 Education.

Hansen introduced:

H. F. No. 3625, A bill for an act relating to natural resources; providing for disposition of proceeds from sale of administrative sites; appropriating money; amending Minnesota Statutes 2006, sections 84.0857; 94.16, subdivision 3.

The bill was read for the first time and referred to the Committee on Finance.

Thissen introduced:

H. F. No. 3626, A bill for an act relating to education; requiring child care facilities to provide influenza information; amending Minnesota Statutes 2006, section 121A.15, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Dill, Wagenius, Cornish and McNamara introduced:

H. F. No. 3627, A bill for an act relating to game and fish; appropriating money for shooting sports facilities at the Vermillion Highlands Wildlife Management Area.

The bill was read for the first time and referred to the Committee on Finance.

## **MESSAGES FROM THE SENATE**

The following message was received from the Senate:

Madam Speaker:

I hereby announce the repassage by the Senate of the following House File, notwithstanding the veto by the Governor:

The enrolled copy of H. F. No. 2800, with all of the signatures of the officers of the Senate and the House together with the Governor's objections is herewith returned to the House.

H. F. No. 2800, A bill for an act relating to transportation finance; appropriating money for transportation activities; providing funding for highway maintenance, debt service, and local roads; appropriating funds for emergency relief related to the I-35W bridge collapse; establishing a trunk highway bridge improvement program; requiring a study of value capture to reduce the public costs of large transportation infrastructure investment; authorizing sale and issuance of bonds; modifying motor vehicle registration and motor fuel taxes; establishing

annual surcharge on motor fuel taxes; creating a motor fuels tax credit; allocating motor vehicle lease tax revenues; providing for local transportation sales taxes; modifying county state-aid highway fund revenue allocation; prohibiting tolling or privatization of existing transportation facilities; establishing bridge improvement program; modifying driver's license reinstatement fee provisions; regulating certain transit funding activities; modifying provisions related to various transportation-related funds and accounts; establishing a task force; requiring reports; amending Minnesota Statutes 2006, sections 160.84, subdivision 1; 161.081, subdivision 3; 162.06; 162.07, subdivision 1, by adding subdivisions; 168.013, subdivision 1a; 171.29, subdivision 2; 290.06, by adding a subdivision; 296A.07, subdivision 3; 296A.08, subdivision 2; 297A.64, subdivision 2; 297A.815, by adding a subdivision; 297A.99, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 160; 165; 296A; 297A; 398A.

COLLEEN PACHECO, Second Assistant Secretary of the Senate

### FISCAL CALENDAR

Pursuant to rule 1.22, Solberg requested immediate consideration of H. F. No. 3055.

H. F. No. 3055 was reported to the House.

Solberg moved to amend H. F. No. 3055 as follows:

Page 1, line 10, delete "mean" and insert "means" and delete "them" and insert "it"

The motion prevailed and the amendment was adopted.

H. F. No. 3055, A bill for an act relating to state government; providing deficiency funding for certain state agencies; appropriating money.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Pursuant to rule 2.05, Kelliher was excused from voting on H. F. No. 3055, as amended.

There were 112 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeler	Berns	Bunn	Dean	Doty	Finstad
Anderson, S.	Bigham	Carlson	DeLaForest	Eastlund	Fritz
Anzelc	Bly	Clark	Demmer	Eken	Gardner
Beard	Brown	Cornish	Dill	Erhardt	Garofalo
Benson	Brynaert	Davnie	Dominguez	Faust	Gottwalt

Greiling	Jaros	Loeffler	Nelson	Ruud	Tillberry
Gunther	Johnson	Madore	Nornes	Sailer	Tingelstad
Hamilton	Juhnke	Mahoney	Olin	Scalze	Tschumper
Hansen	Kahn	Mariani	Otremba	Sertich	Wagenius
Hausman	Kalin	Marquart	Ozment	Shimanski	Walker
Haws	Knuth	Masin	Paulsen	Simon	Ward
Hilstrom	Koenen	McFarlane	Paymar	Simpson	Wardlow
Hilty	Laine	McNamara	Pelowski	Slawik	Welti
Hoppe	Lanning	Moe	Peterson, A.	Slocum	Westrom
Hornstein	Lenczewski	Morgan	Peterson, N.	Smith	Winkler
Hortman	Lesch	Morrow	Peterson, S.	Solberg	Wollschlager
Hosch	Liebling	Mullery	Poppe	Swails	Zellers
Howes	Lieder	Murphy, E.	Rukavina	Thao	
Huntley	Lillie	Murphy, M.	Ruth	Thissen	

Those who voted in the negative were:

Anderson, B.	Dittrich	Erickson	Holberg	Norton	Seifert
Buesgens	Drazkowski	Hackbarth	Kohls	Olson	Severson
Dettmer	Emmer	Heidgerken	Kranz	Peppin	

The bill was passed, as amended, and its title agreed to.

### FISCAL CALENDAR

Pursuant to rule 1.22, Solberg requested immediate consideration of H. F. No. 2553.

H. F. No. 2553 was reported to the House.

Kohls moved to amend H. F. No. 2553, the third engrossment, as follows:

Page 8, line 3, after the period, insert "The special master must report to the legislature by January 15, 2009, 2010, and 2011 on expenditure of this appropriation. The report must list the amount of compensation paid to each survivor and must list administrative expenses incurred by the special master."

The motion prevailed and the amendment was adopted.

Kohls moved to amend H. F. No. 2553, the third engrossment, as amended, as follows:

Page 1, delete lines 20 to 22 and insert:

"Subd. 2. **Catastrophe.** "Catastrophe" means the collapse of the 35W Mississippi River bridge in Minneapolis on August 1, 2007."

The motion did not prevail and the amendment was not adopted.

Zellers moved to amend H. F. No. 2553, the third engrossment, as amended, as follows:

Page 8, delete subdivision 2 and insert:

"Subd. 2. **Trust fund for mental health benefits for child victims.** \$680,000 is appropriated from the general fund for the fiscal year ending June 30, 2008, to the commissioner of administration to establish a trust fund to pay for mental health care related to the bridge collapse for children who were on a school bus on the I-35W bridge when the bridge collapsed. The commissioner shall administer the fund, which is available until spent."

The motion did not prevail and the amendment was not adopted.

Emmer offered an amendment to H. F. No. 2553, the third engrossment, as amended.

#### POINT OF ORDER

Sertich raised a point of order pursuant to rule 3.21 that the Emmer amendment was not in order. The Speaker ruled the point of order well taken and the Emmer amendment out of order.

Emmer appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 85 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Anzelc	Erhardt	Johnson	Mahoney	Pelowski	Thissen
Benson	Faust	Juhnke	Mariani	Peterson, A.	Tillberry
Bigham	Fritz	Kahn	Marquart	Peterson, S.	Tschumper
Bly	Gardner	Kalin	Masin	Poppe	Wagenius
Brown	Greiling	Knuth	Moe	Rukavina	Walker
Brynaert	Hansen	Koenen	Morgan	Ruud	Ward
Bunn	Hausman	Kranz	Morrow	Sailer	Welti
Carlson	Haws	Laine	Mullery	Scalze	Winkler
Clark	Hilstrom	Lenczewski	Murphy, E.	Sertich	Wollschlager
Davnie	Hilty	Lesch	Murphy, M.	Simon	Spk. Kelliher
Dill	Hornstein	Liebling	Nelson	Slawik	
Dittrich	Hortman	Lieder	Norton	Slocum	
Dominguez	Hosch	Lillie	Olin	Solberg	
Doty	Huntley	Loeffler	Otremba	Swails	
Eken	Jaros	Madore	Paymar	Thao	

Those who voted in the negative were:

Abeler	Beard	Cornish	Demmer	Eastlund	Finstad
Anderson, B.	Berns	Dean	Dettmer	Emmer	Garofalo
Anderson, S.	Buesgens	DeLaForest	Drazkowski	Erickson	Gottwalt

Gunther	Hoppe	McNamara	Peppin	Shimanski	Westrom
Hackbarth	Howes	Nornes	Peterson, N.	Simpson	Zellers
Hamilton	Kohls	Olson	Ruth	Smith	
Heidgerken	Lanning	Ozment	Seifert	Tingelstad	
Holberg	McFarlane	Paulsen	Severson	Wardlow	

So it was the judgment of the House that the decision of the Speaker should stand.

H. F. No. 2553, A bill for an act relating to state government; creating a catastrophe survivor compensation fund; appropriating money; amending Minnesota Statutes 2006, section 13.635, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 8A.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abeler	Dominguez	Holberg	Lieder	Otremba	Slawik
Anderson, B.	Doty	Hornstein	Lillie	Ozment	Slocum
Anderson, S.	Draskowski	Hortman	Loeffler	Paulsen	Smith
Anzelc	Eastlund	Hosch	Madore	Paymar	Solberg
Beard	Eken	Howes	Mahoney	Pelowski	Swails
Benson	Erhardt	Huntley	Mariani	Peppin	Thao
Berns	Faust	Jaros	Marquart	Peterson, A.	Thissen
Bigham	Finstad	Johnson	Masin	Peterson, N.	Tillberry
Bly	Fritz	Juhnke	McFarlane	Peterson, S.	Tingelstad
Brown	Gardner	Kahn	McNamara	Poppe	Tschumper
Brynaert	Garofalo	Kalin	Moe	Rukavina	Wagenius
Bunn	Greiling	Knuth	Morgan	Ruth	Walker
Carlson	Gunther	Koenen	Morrow	Ruud	Ward
Clark	Hamilton	Kohls	Mullery	Sailer	Wardlow
Cornish	Hansen	Kranz	Murphy, E.	Scalze	Wolti
Davnie	Hausman	Laine	Murphy, M.	Seifert	Westrom
Dean	Haws	Lanning	Nelson	Sertich	Winkler
DeLaForest	Heidgerken	Lenczewski	Nornes	Shimanski	Wollschlager
Dill	Hilstrom	Lesch	Norton	Simon	Zellers
Dittrich	Hilty	Liebling	Olin	Simpson	Spk. Kelliher

Those who voted in the negative were:

Buesgens	Dettmer	Erickson	Hackbarth	Olson
Demmer	Emmer	Gottwalt	Hoppe	Severson

The bill was passed, as amended, and its title agreed to.

Sertich moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Lenczewski announced her intention to place H. F. No. 3201 on the Fiscal Calendar for Monday, March 3, 2008.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 11:00 a.m., Monday, March 3, 2008. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Monday, March 3, 2008.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

